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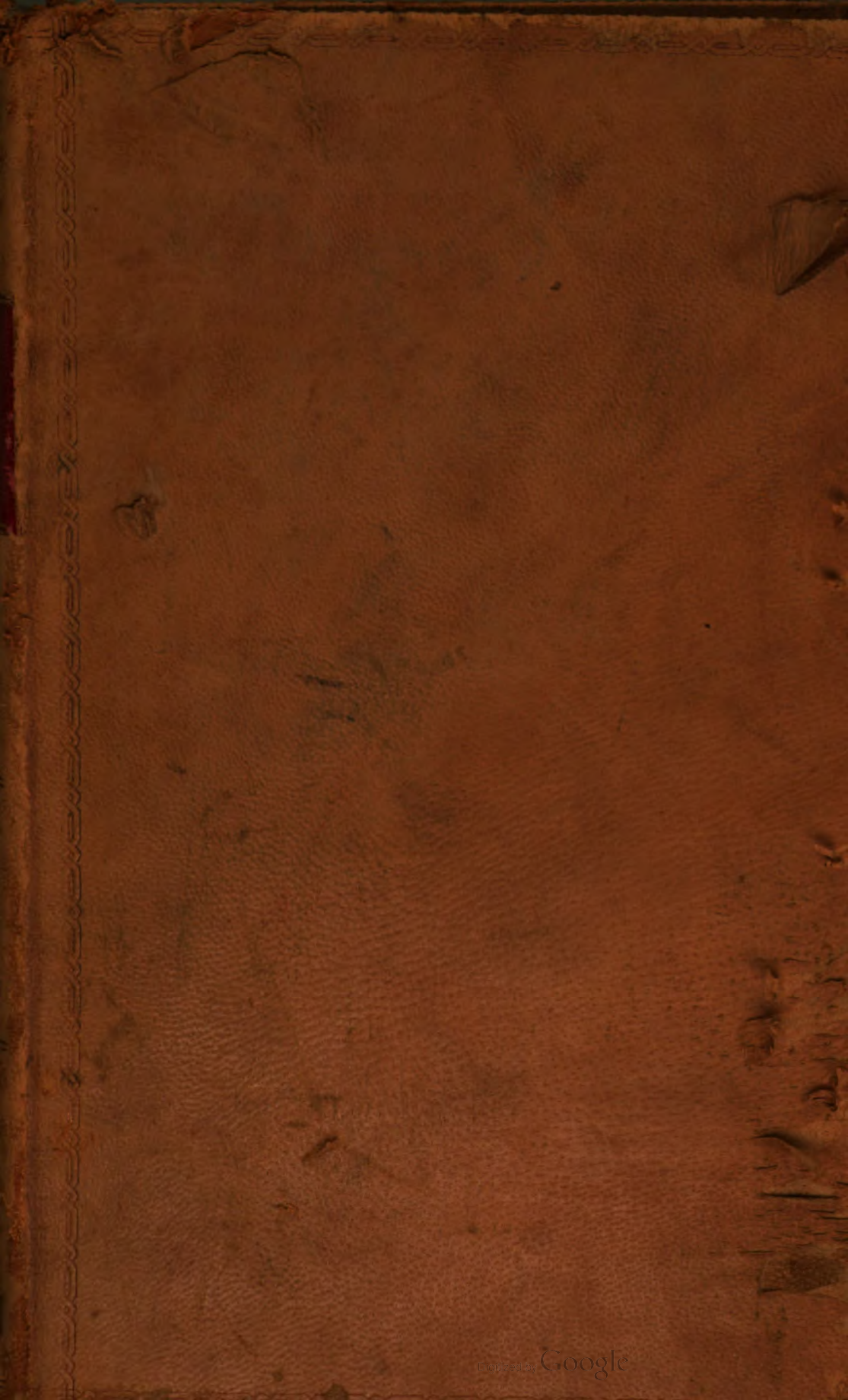
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BANKS OF DISTRICT OF COLUMBIA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

*Statements showing the Condition of the Incorporated Banks in the
District of Columbia at the close of the year 1837.*

JANUARY 5, 1838.

Read, and laid upon the table.

TREASURY DEPARTMENT,

January 4, 1838.

SIR: I have the honor to transmit, enclosed, copies of the statements rendered to the Department, agreeably to law, by the incorporated banks of the District of Columbia, showing the state of their affairs at the close of the year 1837.

No statement has been received from the Union Bank of Georgetown, but the Department has been notified that it is winding up its business.

I remain, very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

The Hon. the SPEAKER

of the House of Representatives.

Dr.

Statement of the condition of the Bank of Washington on the 1st of January, 1898.

Cr.

Capital stock	-	-	\$959,940 00	Suspense account	-	\$5,477 30	
Deposites, viz:				Deduct	-	193 52	
Individuals	-	\$189,872 57					\$5,283 78
Public officers	-	182,907 32		Bills and notes, viz:			
				Current	-	\$330,670 60	
Circulation, viz:				In suit	-	80,628 32	
Old emission	\$11,736			Not discounted, (bonds, &c.)	-	8,838 30	
New do.	163,315						420,137 22
				Real estate	-	-	93,088 02
On hand	-	175,051 00		Stocks	-	-	60,072 79
		156,246 00		Due from banks	-	-	14,989 37
Due to banks	-		*18,805 00	Legal expenses	-	-	10,475 77
Profit and loss (surplus)	-	-	64,411 46	Stock of this bank	-	-	24,940 00
			37,578 18	Cash funds, viz:			
				Specie	\$55,577 20		
				Specie checks	36,111 50		
				Treasury notes	-	91,688 70	
				Notes of other banks, checks, &c.	-	65,541 78	
						67,197 10	
							224,427 58
							\$853,412 53

* The bank has been redeeming its notes, of every denomination, in specie, since the 1st of September, 1837; hence the diminution in its outstanding circulation.

BANK OF WASHINGTON, January 1, 1898.

E. E.

JAS. ADAMS, Cashier.

Dr.

State of the Patriotic Bank of Washington, January 1, 1898.

Cr.

4

[Doc. No. 71.]

To capital stock -	\$250,000 00	By stock of this bank -	-	\$77,880 00
" notes in circulation -	136,632 96	" banking-house and other real estate -	-	17,357 58
" individual depositors -	51,762 72	Cash funds:		
" due to banks -	89,559 53	specie and specie funds -	\$68,141 42	
" surplus profits -	52,975 71	notes of and checks on solvent banks -	38,582 88	
		" due from banks -	-	106,724 30
		" Corporation of Washington stock -	-	25,272 77
		" bills and notes discounted -	340,127 67	188 05
		" loans to Chesapeake and Ohio Canal Company -	10,000 00	
		" suits at law -	-	350,127 67
				3,380 55
	\$580,930 92			\$580,930 92

PATRIOTIC BANK,
Washington, January 2, 1898.

E. E.

P. THOMPSON, Cashier.

Farmers and Mechanics' Bank of Georgetown, December 30, 1837.

Dr.

To capital stock	-	\$485,900 00	By real estate	-	\$83,710 82
Less held by the bank	-	129,895 00	Road stock	-	9,718 00
Notes in circulation	-	-	Suspense and expense accounts	-	4,008 49
Due to depositors	-	-	Law expenses and protest ac-	-	4,667 08
Due to banks	-	-	counts	-	23,863 14
Unclaimed dividends	-	-	Notes of other banks	-	18,345 32
Profit and loss and discount ac-	-	-	Due from other banks	-	35,393 00
counts	-	-	Specie	-	387,277 21
			Bills and notes discounted	-	
					\$566,983 06

E. E.

FARMERS AND MECHANICS' BANK,

Georgetown, January 2, 1838.

J. I. STULL, Cashier.

Dr.

Statement of the affairs of the Bank of Potomac to the first of January, 1838.

Cr.

Capital of the bank	-	\$400,000 00	Bills and notes	-	\$395,224 13
Notes in circulation	-	97,327 04	Real estate, including banking-house	-	39,309 26
Due to banks	-	19,988 99	Stocks of incorporated companies	-	93,102 64
Deposites	-	143,943 60	Alexandria corporation 5 per cent. stock	-	25,000 00
Unclaimed dividends	-	6,525 50	Alexandria corporation 6 per cent. stock	-	5,000 00
Surplus	-	25,014 64	Due from banks	-	68,501 70
			Notes of other banks	-	24,101 85
			Specie	-	42,560 19
		\$692,799 77			\$692,799 77

BANK OF POTOMAC,

*Alexandria, D. C., January 2, 1838.*C. PAGE, *Cashier.*

CLERKS—DEPARTMENT OF STATE—1837.

LETTER

FROM

THE SECRETARY OF STATE,

TRANSMITTING

A statement of the names of the Clerks employed in the State Department during the year 1837, and the compensation of each.

JANUARY 5, 1838.

Read, and laid upon the table.

DEPARTMENT OF STATE,

Washington, January 4, 1838.

Sir: I have the honor to transmit, herewith, a report respecting the clerks employed in this Department during the past year, and the amount of compensation paid to each ; and to be, sir,

Your most obedient servant,

JOHN FORSYTH.

Hon. JAMES K. POLK,

Speaker of the House of Representatives.

DEPARTMENT OF STATE,

Washington, January 4, 1838.

The Secretary of State, in obedience to the act of the 20th of April, 1818, entitled "An act to regulate and fix the compensation of the clerks in the different offices," which makes it his duty to report annually to Congress the number of clerks he may have employed during the preceding year, together with the time each clerk was employed, and the sum paid to each, respectfully reports :

Names of clerks.	Time employed.	Rate of compensation.	Addition per cent-ages.	Amount
Aaron Ogden Dayton ch. clk.	The whole year.	\$2,000	—	\$2,000
William S. Derrick, - -	do	1,600	\$160	1,760
Robert Greenhow, - -	do	1,600	160	1,760
William Hunter, jr. - -	do	1,500	150	1,650
Andrew T. McCormick - -	do	1,400	140	1,540
Francis Markoe, jr. - -	do	1,400	140	1,540
George Hill, - - - -	do	1,400	140	1,540
Benjamin C. Vail, - - -	do	1,400	140	1,540
Thomas W. Dickins, - - -	do	1,400	140	1,540
Robert S. Chew, - - - -	do	1,400	140	1,540
Edward Stubbs, - - - -	do	1,450	145	1,595
Horatio Jones, - - - -	do	1,000	200	1,200
James S. Ringgold, - - -	do	900	180	1,080
Alexander H. Derrick, - -	do	800	160	960
		\$19,250		\$21,245

Mr. Greenhow was absent, on business connected with the Department, from the 28th May to the 2d of September. The translations which were required during that period were made at his expense.

NORTHERN FRONTIER.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

Upon the subject of the Disturbance on the Northern Frontier of the United States.

JANUARY 8, 1838.

So much as relates to an appropriation referred to the Committee of Ways and Means; the residue to the Committee on Foreign Affairs.

*To the Senate and House of Representatives
of the United States:*

In the highly excited state of feeling on the Northern frontier, occasioned by the disturbances in Canada, it was to be apprehended that causes of complaint might arise on the line dividing the United States from her Britannic Majesty's dominions. Every precaution was, therefore, taken on our part, authorized by the existing laws; and, as the troops of the Provinces were imbodyed on the Canadian side, it was hoped that no serious violation of the rights of the United States would be permitted to occur. I regret, however, to inform you, that an outrage of a most aggravated character has been committed, accompanied by a hostile though temporary invasion of our territory, producing the strongest feelings of resentment on the part of our citizens in the neighborhood, and on the whole border line; and that the excitement previously existing has been alarmingly increased. To guard against the possible recurrence of any similar act, I have thought it indispensable to call out a portion of the militia, to be posted on that frontier. The documents herewith presented to Congress show the character of the outrage committed, the measures taken in consequence of its occurrence, and the necessity for resorting to them. It will also be seen that the subject was immediately brought to the notice of the British minister accredited to this country, and the proper steps taken, on our part, to obtain the fullest information of all the circumstances leading to and attendant upon the transaction, preparatory to a demand for reparation. I ask such appropriations as the circumstances in which our country is thus unexpectedly placed require.

M. VAN BUREN.

WASHINGTON, January 8, 1838.

List of papers.

H. W. Rogers to the President, dated 30th December, 1837.

The Secretary of War to General Scott, 5th January, 1838.

The Secretary of War to Governor Marcy, do.

Mr. Forsyth to Mr. Fox, do.

Mr. Rogers to the President.

BUFFALO, December 30, 1837.

To his excellency MARTIN VAN BUREN,

President of the United States:

SIR: Enclosed are copies of affidavits which I have prepared in great haste, and which contain all that is material in relation to the gross and extraordinary transaction to which they relate. Our whole frontier is in commotion, and I fear it will be difficult to restrain our citizens from revenging, by a resort to arms, this flagrant invasion of our territory. Every thing that can be done will be by the public authorities to prevent so injudicious a movement. The respective sheriffs of Erie and Niagara have taken the responsibility of calling out the militia to guard the frontier, and prevent any further depredations.

I am, sir, with great consideration,

Your obedient servant,

H. W. ROGERS,

Dist. Att'y for Erie county, and act'g for the U. S.

STATE OF NEW YORK, *Niagara county, ss:*

Gilman Appleby, of the city of Buffalo, being sworn, says that he left the port of Buffalo on the morning of the 29th instant, in the steamboat Caroline, owned by William Wells, of Buffalo, and bound for Schlosser, upon the east side of the Niagara river, and within the United States; that this deponent commanded the said Caroline, and that she was cleared from Buffalo with a view to run between said Buffalo and Schlosser, carrying passengers, freight, &c.; that this deponent caused the said Caroline to be landed at Black Rock, on her way down, and that while at Black Rock this deponent caused the American flag to be run up; and that, soon after leaving Black Rock harbor, a volley of musketry was discharged at the Caroline from the Canada shore, but without injury; that the said Caroline continued her course down the Niagara river unmolested, and landed outside of certain scows or boats attached to Navy island, where a number of passengers disembarked, and, as this deponent supposes, certain articles of freight were landed; that, from this point, the Caroline ran to Schlosser, arriving there at three o'clock in the afternoon; that between this time and dark the Caroline made two trips to Navy island, landing as before; that at about six o'clock in the evening this deponent caused the said Caroline to be landed at Schlosser, and made fast with chains to the dock at that place; that the crew and officers of the Caroline numbered ten; and that in the course of the evening twenty-three individuals, all of

whom were citizens of the United States, came on board of the Caroline, and requested this deponent and other officers of the boat to permit them to remain on board during the night, as they were unable to get lodgings at the tavern near by. These requests were acceded to, and the persons thus coming on board retired to rest, as did also the crew and officers of the Caroline, except such as were stationed to watch during the night. That about midnight this deponent was informed by one of the watch that several boats, filled with men, were making towards the Caroline from the river, and this deponent immediately gave the alarm, and before he was able to reach the dock the Caroline was boarded by some 70 or 80 men, all of whom were armed; that they immediately commenced a warfare with muskets, swords, and cutlasses, upon the defenceless crew and passengers of the Caroline, under a fierce cry of G—d damn them—give them no quarters—kill every man—fire! fire! That the Caroline was abandoned without resistance, and the only effort made by either the crew or passengers seemed to be to escape slaughter; that this deponent narrowly escaped, having received several wounds, none of which, however, are of a serious character; that immediately after the Caroline fell into the hands of the armed force who boarded her, she was set on fire, cut loose from the dock, was towed into the current of the river, there abandoned, and soon after descended the Niagara falls; that this deponent has made vigilant search after the individuals, thirty-three in number, who are known to have been on the Caroline at the time she was boarded, and twenty-one only are to be found; one of whom, to wit, Amos Durfee, of Buffalo, was found dead upon the dock, having received a shot from a musket, the ball of which penetrated the back part of the head, and came out at the forehead. James H. King and Captain C. F. Harding were seriously, though not mortally, wounded. Several others received slight wounds. The twelve individuals who are missing, this deponent has no doubt were either murdered upon the steamboat, or found a watery grave in the cataract of the falls. And this deponent further says that, immediately after the Caroline was got into the current of the stream and abandoned, as before stated, beacon-lights were discovered upon the Canada shore, near Chippewa; and after sufficient time had elapsed to enable the boats to reach that shore, this deponent distinctly heard loud and vociferous cheering at that point; that this deponent has no doubt that the individuals who boarded the Caroline were a part of the British forces now stationed at Chippewa.

GILMAN APPLEBY.

Subscribed and sworn December 30, 1837, before me,

S. B. PIPER,

Commissioner of Deeds for Niagara county.

STATE OF NEW YORK, }
Niagara county, } ss.

Charles F. Harding, James H. King, Joshua H. Smith, William Seaman, William Kennedy, William Wells, John Leonard, Sylvanus Staring, and John Haggarty, being sworn, severally, depose and say, that they have heard the foregoing affidavit of Gilman Appleby read; that they were on the Caroline at the time she was boarded, as stated in said affida-

vit ; and that all the facts sworn to by said Appleby, as occurring after the said Caroline was so boarded, as aforesaid, are correct and true.

C. F. HARDING,
J. H. KING,
J. H. SMITH,
WM. SEAMAN,
WILLIAM KENNEDY,
WM. WELLS,
JOHN LEONARD,
SYLVANUS STARING,
JOHN C. HAGGARTY.

Sworn and subscribed December 30, 1837, before me,
S. B. PIPER,
Commissioner of Deeds for Niagara county.

Mr. Poinsett to General Scott.

DEPARTMENT OF WAR,
January 5, 1838.

SIR : You will repair, without delay, to the Canada frontier of the United States, and assume the military command there.

Herewith you will receive duplicate letters to the Governors of the States of New York and Vermont, requesting them to call into the service of the United States such a militia force as you may deem necessary for the defence of that frontier of the United States.

This power has been confided to you in the full persuasion that you will use it discreetly, and extend the call only so far as circumstances may seem to require.

It is important that the troops called into the service should be, if possible, exempt from that state of excitement which the late violation of our territory has created ; and you will therefore impress upon the Governors of these border States the propriety of selecting troops from a portion of the State distant from the theatre of action.

The Executive possesses no legal authority to employ the military force to restrain persons within our jurisdiction, and who ought to be under our control, from violating the laws, by making incursions into the territory of neighboring and friendly nations, with hostile intent. I can give you, therefore, no instructions on that subject ; but request that you will use your influence to prevent such excesses, and to preserve the character of this Government for good faith and a proper regard for the rights of friendly Powers.

The militia will be called into the service for three months, unless sooner discharged ; and in your requisitions you will designate the number of men, and take care that the officers do not exceed a due proportion.

It is deemed important that the administrative branch of the service should be conducted, wherever practicable, by officers of the regular army.

The disposition of the force with regard to the points to be occupied is confided to your discretion, military skill, and intimate knowledge of the country ; and the amount of that force must depend upon the char-

acter and duration of the contest now going on in Canada, and the disposition manifested by the people and the public authorities of that colony.

The President indulges a hope that outrages similar to that which lately occurred at Schlosser will not be repeated ; and that you will be able to maintain the peace of that frontier without being called upon to use the force which has been confided to you.

Very respectfully,

Your most obedient servant,

J. R. POINSETT.

Brevet Major General WINFIELD SCOTT,
Washington City.

Mr. Poinsett to Governor Marcy.

DEPARTMENT OF WAR, *January 5, 1838.*

SIR : The territory of the United States having been violated by a party of armed men from the Canada shore, and apprehensions being entertained, from the highly-excited feelings of both parties, that similar outrages may lead to an invasion of our soil, the President has thought proper to exercise the authority vested in him by law, and call out such a militia force as may be deemed necessary to protect the frontiers of the United States.

I am, in consequence, instructed by the President to request you will call into the service of the United States, and place under the command of Brevet Major General Scott, such militia force as he may require to be employed on the Canada frontier, for the purpose herein set forth.

Very respectfully,

Your most obedient servant,

J. R. POINSETT.

His Excellency W. L. MARCY,
Governor of New York, Albany, N. Y.

[Same to his Excellency Silas H. Jennison, Governor of Vermont, Montpelier, Vermont.]

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, January 5, 1838.

SIR: By the direction of the President of the United States, I have the honor to communicate to you a copy of the evidence furnished to this Department, of an extraordinary outrage committed from her Britannic Majesty's Province of Upper Canada, on the persons and property of citizens of the United States, within the jurisdiction of the State of New York. The destruction of the property, and assassination of citizens of the United States, on the soil of New York, at the moment when, as is well known to you, the President was anxiously endeavoring to allay the excitement, and earnestly seeking to prevent any unfortunate occurrence on the fron-

tier of Canada, has produced upon his mind the most painful emotions of surprise and regret. It will necessarily form the subject of a demand for redress upon her Majesty's Government. This communication is made to you under the expectation that, through your instrumentality, an early explanation may be obtained, from the authorities of Upper Canada, of all the circumstances of the transaction; and that, by your advice to those authorities, such decisive precautions may be used as will render the perpetration of similar acts hereafter impossible. Not doubting the disposition of the Government of Upper Canada to do its duty in punishing the aggressors, and preventing future outrage, the President, notwithstanding, has deemed it necessary to order a sufficient force on the frontier, to repel any attempt of a like character, and to make known to you that, if it should occur, he cannot be answerable for the effects of the indignation of the neighboring people of the United States.

I take this occasion to renew to you the assurance of my distinguished consideration.

JOHN FORSYTH.

HENRY S. FOX, Esq., &c.

MEXICO—TEXAS—CANADA.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

*Transmitting the information required by a resolution of the House
of Representatives of the 5th of January instant, &c.*

JANUARY 8, 1838.

Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States :

I herewith transmit to the House of Representatives a report and accompanying documents from the Secretary of State, in compliance with a resolution of that body dated the 5th instant.

M. VAN BUREN.

WASHINGTON, January 8, 1838.

DEPARTMENT OF STATE,

Washington, January 8, 1838.

To the President of the United States :

The Secretary of State, to whom have been referred certain resolutions of the House of Representatives, dated the 5th instant, the second of which requests the President of the United States to communicate to that body "copies of all instructions to the officers of the Government of the United States, and all correspondence with them, with the Governors of any of the States, and with the Governments and officers of Mexico and of Great Britain, concerning the preservation of the neutrality of the United States in the civil wars and insurrections in Mexico and in any of the British Provinces north of the United States, since the year 1829; and particularly of a letter from the late President of the United States to the Secretary of the Territory of Arkansas, dated on or about the 10th of December, 1830," has the honor to report to the President the accompanying papers, embracing all the instructions and correspondence requested by the reso-

Thomas Allen, print.

lution above cited, not already published,* with the exception of the letter from the late President of the United States to the Secretary of the Territory of Arkansas, said to be dated about the 10th of December, 1830. The files of this Department have been carefully examined, but no letter has been found from the late President to the Secretary of Arkansas.

Respectfully submitted.

JOHN FORSYTH.

LIST.

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 The same to Mr. Carleton, October 27, 1835.
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 Mr. Forsyth to Mr. Kellogg, December 20, 1837.
 Mr. Fillmore to Mr. Poinsett, with enclosure, December 21, 1837.
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 Mr. Woodbury to Mr. Forsyth, with enclosure, December 21, 1837.
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 Mr. Woodbury to Mr. Forsyth, with enclosures, January 5, 1838.
 Mr. Forsyth to Mr. Benton, January 5, 1838.
 Mr. Woodbury to Mr. Forsyth, with enclosure, January 6, 1838.

* See document No. 256, 24th Congress, 1st session.

Document No. 105, 24th Congress, 2d session, and document No. 2, accompanying the message of the President at the opening of the 2d session of the 24th Congress.

Document No. 139, 24th Congress, 2d session.

Mr. Carleton to Mr. Forsyth.

NEW ORLEANS, *October 21, 1835.*

SIR: I have the honor herewith to forward to you several of the newspapers of this city, from which the President will be fully apprized of the nature of the excitement felt here at the present situation of Texas, and the part which some of our citizens seem disposed to take in the struggle about to arise between that Province and the parent State. There can be no doubt that certain persons intend to proceed thither, to act in concert with the Texans, should an occasion present itself. Yet, when the matter is more narrowly investigated, it is difficult to apply to them the provisions of the second or sixth sections of the act of the 20th April, 1818; for it does not appear that any regular *enlisting or entering as soldiers* has taken place within the meaning of the statute, or that any definite or tangible *military expedition or enterprise* has been set on foot or begun.

I have just had an interview upon this subject with the Mexican consul, to whom I expressed a willingness to prosecute, under that law, for any offence committed against his Government, whenever himself or any one else would indicate the testimony upon which proceedings could be properly based. He seemed to think his agency would be unavailing, and said he could do nothing more than communicate the facts, as they occurred, to the officers of his Government.

I have the honor to be,

Very respectfully,

Your obedient servant,

HENRY CARLETON.

HON. JOHN FORSYTH,

Secretary of State, Washington City.

Mr. Forsyth to Governor White.

DEPARTMENT OF STATE,

Washington, October 27, 1835.

SIR: The contest which is apparently beginning in a territory adjoining the United States, between parties of the Mexican empire, and recent publications in the public journals of New Orleans, lead to an apprehension that attempts may be made to violate the laws of the United States, passed to preserve the relations of amity with foreign Powers, and to fulfil the obligations of our treaties with them. By the directions of the President, I have the honor to request the attention of your excellency to any movements of that character that may be contemplated in Louisiana, and your prompt interference, and that of the officers of the United States, to arrest the parties concerned, if any preparations are made of a hostile nature against any foreign Power in amity with the United States.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

His Excellency EDWARD D. WHITE,

Governor of the State of Louisiana.

Mr. Forsyth to Mr. Carleton.

DEPARTMENT OF STATE,

Washington, October 27, 1835.

SIR: I am directed by the President to call your attention to the recent publications in the extra New Orleans True American of the 13th instant. In the too probable event of a contest between the different portions of the Mexican empire, in the quarter adjoining the United States, some of our citizens may, from their connexion with the settlers there, and from their love of enterprise and desire of change, be induced to forget their duty to their own Government and its obligations to foreign Powers. It is the fixed determination of the Executive faithfully to discharge, so far as his power extends, all the obligations of the Government, and that obligation especially that requires that we shall abstain, under every temptation, from intermeddling with the domestic disputes of other nations: you are therefore earnestly enjoined to be attentive to all movements of a hostile character, contemplated or attempted, within your district, and to prosecute without discrimination all violators of those laws of the United States, which have been enacted to preserve peace with foreign Powers, and to fulfil the obligations of our treaties with them.

I am, sir, your obedient servant,

JOHN FORSYTH.

TO HENRY CARLETON, Esq.

Attorney of the U. S. for the East. Dist. of Louisiana.

Mr. Price to Mr. Forsyth.

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

New York, November 9, 1835.

SIR: I have the honor to acknowledge the receipt of your letter of the 4th instant, calling my "attention to the probable event of a contest between certain portions of the Mexican empire, in those parts thereof which adjoin the United States."

I have this day communicated with the collector of this port upon the subject, and especially requested him to report to me forthwith, for prosecution, any violation of the act of the 20th April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned." I will, in all respects, bestow the utmost attention on "all movements in this district which may in anywise tend to sustain the obligations of the Government, and more especially of that which requires that we should abstain, under every temptation, from intermeddling with the domestic dissensions of other nations."

I have the honor to be, sir, very respectfully,

Your obedient servant,

WILLIAM M. PRICE,

U. S. District Attorney.

TO THE HON. JOHN FORSYTH,

Secretary of State, Washington.

Mr. Price to Mr. Forsyth.

U. S. DISTRICT ATTORNEY'S OFFICE,

New York, November 13, 1835.

SIR : In pursuance of the instructions in your letter of the 4th instant, I have the honor to report the proceedings I have taken in furtherance of its object.

As the provisions of the 10th and 11th sections of the act of April 20, 1818, peculiarly address themselves to collectors, on the 6th instant I communicated a copy of your instructions to the collector of this port, accompanied with a letter, of which I enclose a copy, No. 1. On the same day I addressed a letter to the Mexican consul residing in this city, from whom, on the following day, I received a reply, of which I furnish you with a copy, and also with a copy of my letter to him, Nos. 2 and 3. One of the deputy marshals attended at the meeting referred to in the letter of the consul ; and on reporting to me substantially its proceedings, the resolutions did not designate the use to which the money proposed to be contributed was to be applied. I, nevertheless, considered it to be my duty to present the case to the attention of the grand jury, now sitting. A doubt arising whether the provisions of the sixth section (for there was clearly no evidence applicable to any other provisions of the act) had been violated, the grand jury formally propounded a question to the court. Judges Thompson and Betts concurred in a written opinion in reply : a copy of which I herewith transmit, together with the copy of the question proposed by the grand jury, No. 4.

The section referred to does certainly admit of the literal construction given to it by the court, and would be well amended by striking out the words in the fourth line, to wit : " to be carried on from thence ;" and it would be well also to make it penal to " combine, confederate, or agree, directly or indirectly, to promote, aid, or assist such expedition or enterprise."

I have this day received from the Mexican consul resident here, a letter, a copy of which I enclose, calling my attention to an advertisement in the " Times," giving the proceedings of a meeting held last evening at Tammany Hall, with regard to the American territory of Texas. I will forthwith endeavor to obtain evidence of the establishment of the recruiting office referred to by the consul, such acts being unquestionably in violation of the statute referred to. No. 5.

I have the honor to be, very respectfully, sir,

Your most obedient servant,

WILLIAM M. PRICE,

U. S. District Attorney.

To the HON. JOHN FORSYTH,

Secretary of State, Washington.

No. 1.

Mr. Price to Mr. Swartwout.

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

New York, November 6, 1835.

SIR : I have the honor to communicate to you a copy of a letter this day received by me from the honorable the Secretary of State, dated the 4th instant, and refer you for your government in the premises generally to the provisions of the act of the 20th of April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States," and to repeal the acts therein mentioned, and especially to the 10th and 11th sections of the act, 6th volume Laws of the U. S., p. 320.

With very great respect,

Your most obedient servant,

WILLIAM M. PRICE,

United States District Attorney.

To SAMUEL SWARTWOUT, Esq.

Collector of the port of New York.

No. 2.

Mr. Price to Mr. Gonzalez.

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

New York, November 6, 1835.

SIR : I have the honor to advise you that I have this day received instructions from the honorable the Secretary of State of the United States, zealously to exert myself, as the prosecuting officer of the Government, to prevent all persons in this district from directly or indirectly taking part in a contest which may possibly occur between the different portions of the Mexican empire adjacent to the United States, and to prosecute indiscriminately all violations of the laws of the United States which have been enacted for the preservation of the public peace and the fulfilment of the obligations of treaties with foreign nations.

Permit me, sir, to refer you to an act of Congress of the United States, passed on the 20th of April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," 6th volume United States Laws, page 320; and to request you to advise me of any violation of its provisions within this district which may come to your knowledge, that I may pursue such legal measures as occasion may require to bring the offenders to justice.

I am, sir, with great respect,

Your most obedient servant,

WILLIAM M. PRICE,

United States District Attorney.

To SENOR P. GONZALEZ,

Consul of Mexico to the United States.

No. 3.

Mr. Gonzalez to Mr. Price.

NEW YORK, November 10, 1835.

SIR: I have the honor to acknowledge the receipt of your official letter of yesterday, by which you inform me that instructions have been directed to you from the honorable the Secretary of State of the United States to zealously exert yourself, as the prosecuting officer of the Government, to prevent all persons in this district from directly or indirectly taking part "in a contest that may possibly occur between the different portions of the Mexican empire adjacent to the United States, and to prosecute indiscriminately all violations of the laws of the United States which have been enacted for the preservation of the public peace and the fulfilment of the obligations of treaties with foreign nations."

You further refer me to the act of Congress of the United States passed on the 20th of April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," requesting that I advise you of any violation of its provisions within this district which may come to my knowledge.

Allow me, therefore, sir, to call your attention to a resolution adopted on Saturday, the 7th instant, in a public meeting held at the Shakspeare hotel, "in favor of aiding the cause of Texas, or the Texonians, in their struggle for freedom." This resolution, published in most of the papers of this city, is the appointment of "a committee of citizens to solicit and receive subscriptions for the benefit of the Texonians." Although the resolution, in itself, does not purport any hostile or warlike measure, taking into consideration the object of the meeting, there can be no doubt but that it is the first of further steps that are to be taken towards a direct interference, on the part of a great number of citizens of these United States, with the political disturbances which actually exist between a portion of the Mexican republic adjacent to the United States, as the territories of Texas are. I suggest to you this observation in the discharge of my duty as consular agent of the United Mexican States, and to comply with the request contained in your note that you will pursue the measures which the law has intrusted to you.

With great respect,

Your obedient servant,

P. GONZALEZ,

Mexican Vice Consul for New York.

TO WILLIAM M. PRICE, Esq.

United States Attorney

for the Southern district of New York.

No. 4.

The grand jurors of the United States for the southern district of New York, in the second circuit, respectfully submit to the honorable circuit court of the United States the following inquiry, in relation to a matter at present under their consideration :

Is it, or not, a violation of the 6th section of the act of Congress, passed on the 20th of April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," that meetings should be held in this district, and committees appointed to provide means and make collections for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico, now at peace with the United States?

GIDEON TUCKER.

To which proposition the court replied as follows:

In answering the foregoing inquiry, the court will confine itself to the facts stated, and the section of the law referred to. The inquiry is, whether meetings held in this district, (or State,) and committees appointed to provide means and make collections *for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico*, is a violation of the section of the law referred to?

That section of the act is as follows: "And be it further enacted, That if any person shall, *within* the territory or jurisdiction of the United States, begin to set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on *from thence* against the territory or dominions of any foreign prince or State, or of any colony, district, or people with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years."

This section applies only to military expeditions and enterprises to be carried on *from the United States* against any foreign Power with which we are at peace. No person shall begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on *from thence*; that is, from the United States, or the territory within their jurisdiction. Donations in money, or any thing else, to the inhabitants of Texas, to enable them to engage in a civil war with the sovereignty of Mexico, is in no sense beginning, or setting on foot, or providing the means for, a military expedition *from the United States* or their territory. The answer, therefore, to the question put by the grand jury, is, That the facts stated do not amount to any offence, under the 6th section of the act referred to.

No. 5.

Mr. Gonzalez to Mr Price.

NEW YORK, November 13, 1835.

SIR: I have the honor to enclose a number of the "New York Times," of this day, in which you will find reported the proceedings of a meeting held last evening at Tammany Hall, with regard to the American territories of Texas adjacent to the United States. By these proceedings, it is plainly ascertained that there exists in this district an organized body

of American citizens, with the avowed purpose of aiding the people of Texas in their revolutionary movements against the Government and laws of the United Mexican States. It was resolved, as you will perceive in the report, to appoint an executive committee to manage the collections that may be made for the support of the Texonians; and moneys have already been raised to that end. It was, besides, announced in the said meeting, that a recruiting-office is open in No. 62, Front street, to those who will enlist themselves to take up arms on the side of the revolted Texonians.

In my communication of the 10th instant, in answer to your note of the 6th, I mentioned that the resolution adopted in the meeting held at the Shakspeare hotel, on Saturday, the 7th, in favor of Texas, ought to be considered as the first of further steps that were to be taken towards a direct interference on the part of a great number of American citizens in the political affairs of Mexico. It is now certain, sir, that this interference is undertaken by a body of citizens, in violation of the law of nations, and of the laws of the United States enacted to enforce it.

I therefore denounce to you these proceedings, as well as the measures that are to be their consequence, and which are to set on foot, prepare, and provide the means for a military expedition to be carried on from thence against the Mexican territory; and solemnly protest against them as a violation of the law of nations and of the laws of the United States enacted for the preservation of the public peace, and the fulfilment of the obligations of treaties with a friendly Power, with which the United States are at peace.

With great respect,

Your obedient servant,

P. GONZALEZ,

Mexican Vice Consul for New York.

WILLIAM M. PRICE, Esq.,

U. S. District Attorney for the Southern District of New York.

Mr. Blache to Mr. Forsyth.

DEPARTMENT OF STATE,

New Orleans, November 16, 1835.

SIR: I am directed by the Governor to acknowledge the receipt of your communication of the 27th ultimo, touching certain demonstrations in New Orleans on the subject of the Mexican affairs.

No official information of attempts of the kind alluded to having been given at this office, and such offences being cognizable by the tribunals of the United States, the authorities of the General Government could probably exert a more efficient action in repressing them.

With the view, however, of co-operating in the maintenance of the laws, the Governor has issued a proclamation, inserted in the "Bee," of which a number is herewith forwarded to the Department.

I have the honor to be, with great respect,

Your obedient servant,

MARTIN BLACHE,

Secretary of State.

The Hon. JOHN FORSYTH,

Secretary of State.

PROCLAMATION

By Edward D. White, Governor of the State of Louisiana.

Whereas the United States are now at peace with the neighboring States of Mexico, in which some hostile movements have occurred between the existing Government there and a portion of their people, in which contest there has been in the State of Louisiana some manifestation of interest, which might lead not only to an infraction of our laws, but to a breach of national faith and honor; the citizens of the State, and others within its jurisdiction, are reminded of the provisions of the 2d section of the act of Congress of April 20th, 1818, which is in these words:

"If any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States, with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years." This act does not "extend to the subject or citizen of any foreign prince, state, colony, district, or people, who shall transiently be within the United States, and shall on board of any vessel of war, letter of marque or privateer, which, at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, state, colony, district or people, who is transiently within the United States, to enlist or enter himself to serve such foreign prince, state, colony, district or people, on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district or people."

Now, therefore, I, Edward D. White, Governor of the State of Louisiana, issue this my proclamation, calling upon all magistrates and other officers of justice, and upon all good citizens, to assist in preventing the violation of this law, and in bringing to punishment those who may offend against it.

Given under my hand, and the seal of the State, at New Orleans, this 13th day of November, 1835, and of the independence of the United States the sixtieth.

By the Governor :

E. D. WHITE.

MARTIN BLACHE,

Secretary of State.

Mr. J. Forsyth, Jun. to Mr. Forsyth.

DISTRICT ATTORNEY'S OFFICE,

Mobile, Alabama, November 18, 1835.

SIR: I have the honor to acknowledge the receipt of your communication of the 4th instant, upon the subject of the interference of American citizens, within this district, in the "domestic dissensions" of Cen-

tral America. There is no question in my mind but that the 6th section of the act of Congress approved April 20, 1818, entitled "An act in addition to the act for the punishment of certain crimes against the United States," &c. has been grossly violated, both in its letter and spirit, by many of the most respectable and influential citizens of this State and city. During my absence from the State in October last, several public meetings were held in this city for the avowed purpose of raising men and money to succor the insurgents of Texas; and a company of 30 men was actually equipped and despatched from this city, and are now in arms in Texas against the Government "de facto." I am at a loss to determine whether your instructions should be applied to the cases that have passed; whether they should be retrospectively obeyed; or whether this last proposition is not negatived by the concluding paragraph of your letter, which reads thus: "You are therefore earnestly enjoined, *should this contest begin*, to be attentive to all movements of a hostile character against either party, &c.; and to prosecute, without discrimination, all violations of those laws of the United States which have been enacted for the preservation of peace," &c. In this state of doubt, I respectfully request further instructions in regard to the past offences against the law, and submit whether it would not be expedient to give notice within this district that offenders under this law would be prosecuted for the same.

It is hardly necessary to add, that if any new case should arise under the law and treaty in question, the offenders shall be promptly prosecuted, and every effort made upon my part to bring them to justice and a sense of their obligations and duties to the Government.

I have the honor to be,

With great respect,

Your obedient servant,

JOHN FORSYTH, Jun.

Hon. JOHN FORSYTH,
Secretary of State.

Mr. Carleton to Mr. Forsyth.

NEW ORLEANS, January 21, 1836.

SIR: There have been so many contradictory newspaper accounts concerning certain expeditions and armaments said to have been fitted out at this city in aid of the Texans, in their struggle with Mexico, that I have thought it incumbent on me to place the subject, through you, in its proper light before the President.

On the 26th ultimo I received the communication, a printed copy of which is annexed, and marked A. Some of the signers are officers of insurance companies in this city, and the others members of the principal commercial houses engaged in the Mexican trade. My reply is contained in the paper marked B.

On the 31st ultimo, the piece marked C appeared in the *Union*, an obscure paper printed in this place. Upon an interview with the collector, it was thought best to institute proceedings against the schooner

Brutus, mentioned in document A. Accordingly, on the 4th instant, I caused nearly all the signers of the document, as also the editor of the Union and author of the paper C, to be summoned before Mr. Justice Preval; whereupon twenty witnesses were examined, without obtaining a syllable of information touching the matters alleged. Every thing stated by them resolved itself into hearsay or common report. The examination took a wide range, and continued two days, referring to other armaments said to have been fitted out, as well as that under consideration.

Since these proceedings, nothing further has been said on the subject of such armaments, either in the papers or among the citizens.

Enclosed are copies of the depositions of the witnesses; from which it will appear that the examination was thorough and rigid, and that information was sought especially from those who were most interested in obtaining it.

The paper D contains a notice of the issue of the examination.

I have the honor to be,

Very respectfully,

Your obedient servant,

HENRY CARLETON.

Hon. JOHN FORSYTH,

Secretary of State, Washington City.

A.

NEW ORLEANS, *December 26, 1835.*

TO HENRY CARLETON, Esq.,

United States District Attorney.

Being informed that the schooner Brutus has been purchased, and is now fitting out, armed with six cannon, and one large one on a pivot, for the purpose of capturing Mexican vessels, which, with their cargoes, are principally insured by the underwriters of this city; and as our country is at peace with Mexico; we, the undersigned, request that immediate measures may be taken to prevent said vessel from leaving this port.

John A. Mirle & Co.

Messrs. Cuculla, Lapeyre & Co.

Chalargon.

S. T. Hobson & Co.

Western Marine and Fire Insurance Co., by L. Matthews, president.

Atlantic Insurance Company, by G. W. White Lee.

Godfrey, Blossom, & Co.

J. K. West, president of Louisiana State Marine and Fire Insurance Company.

Thomas Urquhart, president New Orleans Insurance Company.

Merchants' Insurance Company, by M. Morgan, president.

M. de Legardi & Co.

F. Gillit & Co.

Kohn, Daron, & Co.

Harrison, Brown, & Co.
J. W. Zacharie & Co.
Herman & Co.
Gasquet, Parish & Co.
G. Vance and R. Gamble.
A. & R. Dennistoun & Co.
J. Pratt & Son.
A. M. Miranda & Co.
J. M. Caballero.
Francisco Tio.
John Crosby.
R. & J. Curell.

B.

The Courier, New Orleans, Tuesday evening, December 29, 1835.

NEW ORLEANS, *December 28, 1835.*

GENTLEMEN: This acknowledges the receipt of your communication of the 26th instant, in which you state that you are informed the schooner Brutus is now fitting out, and armed with cannon, for the purpose of capturing Mexican vessels, and request that immediate measures may be taken to prevent her departure from this port.

I regret, gentlemen, that you had not at the same time furnished me with proper affidavits, or the names of witnesses, who could set out specifically the facts upon which judicial proceedings might be based.

Mr. Curell, who delivered your letter, informed me that efforts were then making to procure such affidavits, and that the result would be made known to me. In the meanwhile I have had an interview with the collector, who will promptly act, as far as he is warranted, upon the information imparted to him.

The law wisely and justly forbids any outfit of vessels in our ports, with intent to commit hostilities upon any people at peace with the United States; and though my duty requires that I should prosecute for violations of that law, yet it does not require me to institute proceedings upon the testimony of mere common report. Notwithstanding it is currently said that such armaments have been fitted out at New Orleans, and soldiers enlisted, with intent to commit hostilities upon the Mexicans, nevertheless no person can be found in this entire population to make an affidavit of the facts, or indicate a single witness who can establish them. Allow me, therefore, gentlemen, to state distinctly to yourselves, and all those who may conceive that the officers of the Government are remiss in their duty, that these are the only legitimate grounds upon which prosecution can be instituted and maintained, and to assure you that, whenever they are furnished to me, my efforts shall not be wanting to enforce the penalties of the law.

I have the honor to be, gentlemen,

Very respectfully, your obedient servant,

HENRY CARLETON.

To Messrs. CUCULLA, LAPEYRE & Co., CHALARON, S. T. HOBSON & Co., and others.

D.

We understand that an inquiry has been made before Mr. Justice Preval, at the request of the collector of this port, by the district attorney of the United States, into a charge against Mr. Allen, of having armed and fitted out the American schooner Brutus, with the intention to commit hostilities upon Mexican commerce. A large number of witnesses were examined. Among them were the gentlemen who addressed a communication to Mr. Carleton, published in the papers of this city a few days ago; the editor of the Union; and several other persons, who, it was said, could give information on the subject.

No evidence, however, was elicited sufficient to justify any process against Mr. Allen. The testimony of his agent, and others, left no doubt that it was the intention of Mr. Allen to employ the Brutus as a regular trader between this city and Texas, and that all charges of an illegal intention on his part were unfounded, and to be traced only to general rumor. The judge, after a careful examination of all the witnesses, unhesitatingly refused to issue any criminal process against Mr. Allen.

Mr. Justice Preval, associate justice of the city court.

THE UNITED STATES, }
versus
 A. C. ALLEN. }

Information having been communicated to me by the collector of this port, that a certain American schooner, called the Brutus, has been fitted out in New Orleans, where she now is, and armed with intent to commit hostilities and cruise against Mexican vessels, will you have the goodness to issue subpœnas for the following witnesses, who have been indicated to me as having a knowledge of the necessary facts upon which proceedings can be had against Mr. Allen.

Very respectfully,

HENRY CARLETON.

M. S. Cuculla, being duly sworn, deposes and says that he knows nothing about the schooner Brutus, except what he has seen in the public papers of this city, having been absent since the 24th of December last, on a voyage to Mobile and Pensacola.

M. S. CUCULLA.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge.*

NEW ORLEANS, *January 4, 1836.*

James Ramage, being duly sworn, deposes and says that it is to his knowledge that the schooner Brutus has been under repairs on the right side of the Mississippi; that she is now on this side of the river, and is armed; that she has on board a pivot gun; and, further, she has port-

holes and two other guns: last time witness saw those guns was Saturday last, the 2d of January instant.

JAMES RAMAGE.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

James Curell, being duly sworn, deposes and says that he knows nothing from his own personal knowledge relative to the schooner Brutus; that what he knows about this matter, he knows it by information from other persons.

JAMES CURELL.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

Augustus S. Martin, being duly sworn, deposes and says that he knows nothing about the schooner Brutus, and Mr. Allen, except what he has learned by a letter of Mr. Allen, published in the newspapers of this city; which letter is now annexed to his declaration.

AUGUSTUS S. MARTIN.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

John F. Carter, being duly sworn, deposes and says that he knows nothing about the American schooner Brutus, except what he has heard from public report; that he is the editor of the *Union*, (a newspaper published in this city.) Witness being asked for the sources of his information upon which he wrote and published a piece in the "*Union*," of the 31st of December last, he refused to give the sources of information upon which he made the said publication. Witness says that there are no details mentioned in his publication; the said piece is an editorial one; he knows the facts mentioned in the said piece, both by himself and public report. Being asked whether the fitting out and armaments, in sight of the custom-house, is a fact which has come to his personal knowledge, or from report, he says he cannot call to mind which way, nor can he state the name of any particular vessel; but he is under the impression that it was either the *Columbus* or the vessel that General Mehia went in. He thinks that it is possible that he saw the vessel, but cannot state which vessel it was. He does not recollect of having seen any arms on board, nor where the vessel was lying at the time, nor how long ago it was. Witness knows nothing about Mr. Allen. Being asked what are the names of the many respectable citizens (alluded to in his publication) who might give information relative to the armaments of vessels in this port, he answers that he cannot now state their names, but will give a list of them to Mr. Carleton, the district attorney of the United States. The collector of the port, Mr. Breedlove, wrote a letter, addressed to witness, asking information about the said publication, and an answer has been returned to the collector.

JOHN F. CARTER.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

Thomas Urquhart, being duly sworn, deposes and says that he knows nothing from his own personal knowledge about the American schooner *Brutus* being fitted out to go and cruise against Mexican vessels; he knows it only from public report; he knows of no fact which could lead to the discovery of the matter, nor does he know the name of any witness. Witness is the president of the New Orleans Insurance Company: he says that the paper attached to his deposition is the copy of the original, which he signed himself, and which was sent to the district attorney of the United States.

THOMAS URQUHART.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

John Martial Lapeyre, being duly sworn, says that he is one of the subscribers to the petition or letter (of which the foregoing is a copy) addressed to Henry Carleton, Esq. as district attorney of the United States. He knows nothing about the facts contained in it; but having seen it signed by many respectable citizens, and having reason to believe that they knew the facts alleged in the petition, and, further, having a direct interest in the matter, these considerations induced him to sign the said petition or letter.

J. M. LAPEYRE.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

John Garnier, being duly sworn, says that he knows nothing from his personal knowledge of the schooner *Brutus*, nor of Mr. Allen. He knows only by public report that the said schooner *Brutus* was fitting out in this port to go and cruise against Mexican vessels.

JOHN GARNIER.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

John A. Merle, being duly sworn, deposes and says that he knows nothing from his personal knowledge of the schooner *Brutus*, nor of Mr. Allen; but having heard by public report that that vessel was arming and fitting out in this port with the purpose of cruising against Mexican vessels, and being much interested in the commercial trade on the coast of Mexico, he thought proper to sign an address to the district attorney of the United States, to recommend him to take some measures on that subject. He does not know of any person who can attest the facts by personal knowledge.

JOHN A. MERLE.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

William Christy, being duly sworn, deposes and says that he knows nothing about Mr. Allen, except this: that about two weeks ago Mr.

Allen came to his office, with some other gentlemen, and proposed to witness to sell him two tracts of land in Texas. That he, witness, and five or six other persons, bought the said tracts of land from Mr. Allen, in the sum of ten thousand dollars, for which sum they furnished their notes; that Mr. Allen put his price low for said land, because he wished, as he stated at the time, to purchase a vessel. He knows nothing about the schooner *Brutus* being armed, or having been purchased by Mr. Allen.

WM. CHRISTY.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

John K. West, on his affirmation, declares and says that he knows nothing about the schooner, nor about Mr. Allen; that he is president of the State Insurance Company; that he was informed by Mr. Stockton, the inspector of said company, that said schooner was fitting out and arming on the other side of the river. He stated that the current rumor was, that she was arming for the purpose of cruising against Mexican vessels; that he wrote, himself, the letter or petition addressed to the district attorney of the United States, to recommend him to take the necessary steps to stop the armament in question. Witness requested the inspector of the State Insurance Company to try to find out some persons who could make an affidavit on that subject, but he could not find any witness. Knew that the district attorney could not act without an affidavit, and told so to several merchants with whom he conversed on that subject. Mr. Pechier, the partner of John A. Merle and Co., stated to witness that he knew of some persons who could give information; that Mr. Pechier told witness afterwards that he had asked the person in question to come out and make his affidavit, but that he declined doing it.

JOHN K. WEST.

Affirmed and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

R. M. Carter, being duly sworn, deposes and says that he has no positive information of the fitting out of the *Brutus*, except what is hereafter stated. That, in common with others, he believed that expeditions have been fitting out at this port of a hostile character to Mexico; that he believed, after reading the advertisement by certain merchants of New Orleans in regard to the object of the *Brutus*, that she was to be engaged in such an expedition; more especially believing that the expedition of General Mehia was openly fitted out at the levee; that Mr. T. Toby informed deponent that vessels of war were fitting out at this port against Mexico; that, after hearing of the *Brutus*, he considered that she was one of the armed vessels alluded to by Mr. Toby; that having inquired what persons may give some positive information on this subject, deponent answers that he thinks that H. Lockett, A. Hodge, junior, and T. Toby, may be able to give some positive testimony; that the conversation alluded to with Mr. Toby took place on the morning of the commencement of the trial of Captain Thompson, in the United States district court. Mr. Carter being asked what warlike preparations were making in sight of the custom-house, he says that he always thought that

the arcade, and the vessel that General Mehia went away in, were in the sight of the custom-house; but he considers that this question has nothing to do with this case, and that if the *Brutus* was fitted out with hostile intent against Mexico, it was in the sight of the custom-house. Witness has no positive personal knowledge that the *Brutus* has been fitted out and armed against Mexico. Witness does not know of what warlike preparations are spoken of in the *Union* of the 31st December last, under the editorial head. Witness does not know of any respectable persons, except those already mentioned, who can give information about the *Brutus*.

RICHARD M. CARTER.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 4, 1836.*

Edward Hall, being duly sworn, deposes and says that he knows that the American schooner *Brutus* is now in this port, and is armed. She was advertised to go to Texas. In consequence of her being armed, witness shipped some goods on board. Witness does not know that Mr. Allen has any commission as captain of an armed vessel. Witness put on board of said vessel some provisions and arms as cargo, the arms consisting of four guns of six-pounder. He does not know that Mr. Allen has any intention to cruise against Mexican vessels, nor that he has on board any marine or soldier in his service other than his crew. That he has seen the instructions given to Captain Hurd, who commands the said schooner, to proceed on his voyage quietly to Texas, as any merchant vessel. Witness has no knowledge how that vessel was employed heretofore. She was bought in this port by Mr. Allen. The passengers who are about to depart on board of her told witness that they are going on board of that vessel on account of her being armed and able to protect them. Witness says that some three weeks ago there was a rumor that that vessel was to be fitted out to go to sea to cruise against Mexican vessels.

Cross-examination by Mr. Hunt.

The general opinion among the merchants of this city is, that vessels going to Texas may experience some depredations on their passage, and it is on that account that vessels going to that place have taken arms on board.

EDWARD HALL.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 5, 1836.*

Thomas Toby, on his affirmation, deposes and says that he knows nothing about the schooner *Brutus* being fitted out and armed in this port, nor of any vessel. He recollects the conversation which he had with Mr. Carter, in the district court of the United States, in which he spoke of armed vessels; but he did not at the time allude to any vessels of this port, nor to the *Brutus*—he meant a vessel fitted out at Baltimore, with the intent of going on the coast of Mexico to protect commerce.

THOMAS TOBY.

Affirmed and signed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 5, 1836.*

Charles Bishop, being duly sworn, deposes and says, that about two or three weeks ago he had a conversation with R. M. Carter, Esq., at his office, relative to a vessel which was fitting out in this port at that time. He does not know the name of that vessel; he did not know that the vessel was intended to cruise against Mexican vessels, or only to protect herself in her trade to Texas. The vessel he spoke of was the vessel now owned by Mr. Allen. At the time that he had the said conversation with Mr. Carter, he communicated to him what he had heard from public report. He knew nothing, by himself, of the armament of said vessel.

CHARLES BISHOP.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 5, 1836.*

Henry Lockett, being duly sworn, deposes and says that he has no knowledge of any vessel fitting out in this port with the intent of cruising against Mexican vessels. He never heard of the Brutus until he saw the communication addressed to Mr. Carleton, and signed by many merchants of this city. He knows nothing about said vessel, except what he has heard from public report. He never spoke to Mr. Carter in his life about the Brutus, to the best of his recollection.

H. LOCKETT.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 5, 1836.*

William Bryan, being duly sworn, deposes and says that he knows nothing about the schooner Brutus being fitted out in this port to cruise against Mexican vessels. He knows, on the contrary, as the agent of Mr. Allen, and from the instructions he received from him respecting the said vessel, that she was bought by Mr. Allen with the intention of sending her on a regular trade from here to Texas; that she was advertised accordingly in the newspapers. The instructions which he received remain annexed to his declaration.

WILLIAM BRYAN.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge*.

NEW ORLEANS, *January 5, 1836.*

James W. Breedlove, the collector of this port, being duly sworn, deposes and says that this examination of witnesses has taken place at his request; that having been informed that the schooner Brutus was arrived, he first thought that he would clear her, in taking bond, as the law directs, for the double of the amount of her cargo. But having seen, in the public papers of this city, that vessels were fitting out and arming in the sight of the custom-house, with an intent to cruise and commit hostilities against Mexican vessels, he refused to clear out the said schooner Brutus, until some steps should be taken to ascertain whether there was any just ground to justify the publication which appeared in the newspapers; and he then wrote a letter to Henry Carleton, Esq., district attorney of the United States, requesting him to have certain witnesses summoned to testify on the matter, before some magistrate of the city, (the publication alluded to,

which was printed in the Union on the 31st of December, 1835, remaining annexed to his deposition;) and witness requested Mr. Carleton to summon Mr. John F. Carter, the editor of that paper, supposing that he would not have published the fact contained in said publication without some foundation. Witness states that he has taken the bond of the owner of the Brutus, with four securities, in the sum of twenty thousand dollars, under the 56th section of the act of Congress approved on the 20th of April, 1818; and whether he shall clear that vessel or not, without further investigation, depends upon the decision of this court; that is, whether this court will discharge Mr. Allen or not. That Mr. Allen exhibited to witness the bill of sale to him of the schooner Brutus, and thereupon obtained an American register, surrendering, at the same time, the old one; also, the list of his crew, with American protections to the same, and the manifest of his cargo.

J. W. BREEDLOVE, *Collector.*

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge.*

NEW ORLEANS, *January 5, 1836.*

Andrew Hodge, being duly sworn, deposes and says that he knows nothing about the schooner Brutus, except what Mr. Allen told him, and what he saw in the newspapers; that since the purchase, Mr. Allen told him that the Brutus will be a regular trader from New Orleans to Texas; that he has no recollection of having exchanged a word with Mr. Carter respecting the schooner Brutus, until he spoke to him and told him that he had reported his name to Mr. Carleton as a person who could give some information on the subject, as being engaged in the Mexican trade. Witness was surprised at it, having given up business about five years ago.

A. HODGE.

Sworn to and subscribed before me,

GALLIEN PREVAL, *Judge.*

NEW ORLEANS, *January 5, 1836.*

• *Extract from my records.*

On this day, the fourth day of January, 1836, Henry Carleton, Esq., district attorney of the United States, applied to me, by a letter on file in this case, to have subpoenas issued for several witnesses, to examine them about a certain report which had been made to him by the collector of the port of New Orleans; that the American schooner Brutus, owned by the defendant, A. C. Allen, was fitting out and arming to go to sea, for the purpose of committing hostilities against the Mexican vessels; whereupon I caused the following witnesses to be summoned before me, to wit, M. S. Cuculla, James Ramage, J. Curell, Augustus S. Martin, J. F. Carter, Thomas Urquhart, J. M. Lapeyre, John Garnier, J. A. Merle, William Christy, J. K. West, R. M. Carter, Ed. Hall, Thomas Toby, Chs. Bishop, H. Lockett, Wm. Bryan, J. W. Breedlove, and Andrew Hodge. After receiving their declarations, and due examination of all the facts contained therein, I am of opinion that there are not sufficient grounds for the issuing of any criminal process against the defendant.

GALLIEN PREVAL, *Judge.*

NEW ORLEANS, *January 5, 1836.*

I do hereby certify that the foregoing is a true and faithful copy of all the proceedings had in this case.

Associate judge of the city court of New Orleans.

NEW ORLEANS, January 12, 1836.

Mr. Carleton to Mr. Forsyth.

NEW ORLEANS, March 7, 1836.

SIR: On the receipt of your communication of the 5th ultimo, I called on Mr. William Christy, and exhibited to him the letter of J. W. Cramp, printed in the Oswego Palladium, of the 20th January last. He expressed a willingness to appear before some judge, and respond to any proceedings that might be instituted against him. This mode I accordingly adopted, as the most effectual to elicit the truth. Though many witnesses were examined, nothing was proved upon the accused that could warrant further prosecution.

In the course of the investigation before Judge Rawle, which continued five days, disclosures were made directly implicating General Mexia (Mehia) for beginning, setting on foot, and preparing the means for a military expedition against the republic of Mexico, which terminated in an attack upon Tampico, as is known to you. Having ascertained that he was somewhere in this city, I caused him to be arrested, as also Captain Allen, one of his officers, and to be bound over for trial at the next term of the court.

Enclosed is the opinion of the judge, discharging Mr. Christy, as also a printed account of the case from a city newspaper.

I have the honor to be,

Very respectfully,

Your obedient servant,

HENRY CARLETON.

HON. JOHN FORSYTH,

Secretary of State, Washington city.

Examination before E. Rawle, associate judge of the city court.

The UNITED STATES, }
versus
WILLIAM CHRISTY. }

At the request of the district judge of the United States, a notice was sent to the defendant to attend at the hour named, to answer to an accusation "of having, in the fall of 1835, been engaged, with other persons, at New Orleans, in unlawfully setting on foot, and in providing and preparing the means for, a military expedition and enterprise, to be carried on from thence, under the command of General Mexia, against the territory and dominions of the Mexican republic, being a foreign state with whom the United States are at peace."

The defendant appeared and denied the truth of the charge, and stated that he was ready for an examination. Many witnesses were examined, and all on the part of the prosecution.

The crime of which the defendant is accused, is found described in the act of Congress of April 20, 1818. The sixth section provides, that if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony or district or people with whom the United States are at peace, any person so offending shall be deemed guilty of a high misdemeanor, &c.

A vessel sailed from New Orleans in the afternoon of last year, having aboard a large number of men and cannon, arms and stores; and sufficient evidence has made it appear that it was an expedition intended by its leader, General Mexia, both before and after its leaving New Orleans, to be employed against some part of Mexico. Its character was not fully developed previous to sailing; but from what we learn as to the events of that time, and from what took place on the voyage, and after the arrival at Tampico, the belief must be, that the object from first to last was military operation.

Of its nature and destination, some persons besides Mexia, perhaps, knew; and the inquiry now is, whether Mr. Christy was engaged in beginning or setting on foot, or providing or preparing, the means for this expedition or enterprise.

Mr. Christy, it appears, was chairman of what was called the Texian committee, and was frequently called upon by persons wishing to emigrate. Among those who visited him at his office, was General Mexia, who avowed that he wished to do something for the cause of Texas, and that he intended to strike a blow somewhere. The conversations between him and the defendant were heard by the witness; and he states that Christy always declined giving any assistance, or aid of any description; and that in all that took place at the office, whether with Mexia or others, the language of the defendant was to dissuade persons from any enterprise to Texas, and from joining Mexia's expedition.

There is no evidence on the side of the prosecution which leads to suspicion that Christy had any thing to do with the expedition, or that he provided or prepared any means, pecuniary or other, for it.

The circumstance of an address to the men of Mexia, when they were about to embark, requires notice. Why it was delivered, and whether it comes within the act of Congress, as beginning or setting on foot the expedition, should be considered. From the address, as it has been described to us by the witnesses, we are to infer that Mr. Christy knew at the time that Mexia, with his men, was to go to some point beyond Texas; and they embarked shortly after.

The language of the defendant was not to persuade them to go, and it does not appear that any joined the expedition afterward. The witness, Allen, states that "they had all volunteered previous to that time."

Taking the speech of Mr. Christy by itself, we must decide that it is not such an act as the law of Congress notices; and we may say further, that it is not shown that it contributed in any way to promote the enterprise, by further supplies of either men, money, or means.

As regards, therefore, a connexion with Mexia's expedition, or the vio-

lation of the law by the defendant, (and penal enactments must be construed strictly,) there is not sufficient evidence to cause him to be held to bail. In a great degree the testimony goes to establish the negative.

There is no evidence of the setting on foot any warlike enterprise or military expedition, excepting that of Mexia, which has been noticed.

The defendant, William Christy, is discharged.

EDWARD RAWLE.

Mr. Sanders to Mr. Forsyth.

FRANKFORT, KY., *April 22, 1836.*

SIR: Your communication of the 9th instant, suggesting that "it appeared from an article in one of the Western journals, containing what purports to be an extract of a letter of Felix Huston, Esq., of Natchez, that he is in the act of raising and equipping a volunteer company for military service in Texas," and directing to "satisfy myself by proper inquiries; and that should I find that either he or any other person has, in regard to the transaction alluded to, violated the laws within the Kentucky district, that I should institute such proceedings as may be necessary to bring the offender to punishment; and to see the laws enforced with respect to any similar violation of the neutral relations of the United States," has been received, and will be promptly attended to.

I am not, at this time, apprized of any individuals so deporting themselves as to come within the provisions of the act of Congress, within the district of Kentucky.

As it is matter of great interest to our section of the Union to preserve the amicable relations existing between the United States and those of the Mexican republic, and fears exist that the latter entertain jealous apprehensions that the former give countenance to the succors received by Texas from them, allow me the suggestion, that a proclamation emanating from the seat of Government would have the double effect of quieting those fears, and of apprizing the citizens of the consequences of a violation of the laws.

I am, sir, your obedient servant,

L. SANDERS, *U. S. D. A. K. D.*

Hon. JOHN FORSYTH,
Secretary of State.

Mr. Gaines to Mr. Forsyth.

NATCHEZ, *May 1, 1836.*

Sir: Yours of the 9th ultimo was received by the last mail, and I immediately made such inquiries as the nature of the case permitted. I have no doubt that preparations of some description are making for the assistance of Texas, but I have been, as yet, unable to obtain any legal evidence of a violation of the laws, on which to base a prosecution.

I have requested the marshal if he knows or can obtain such information on the subject as will justify legal proceedings, to communicate it to me without delay.

I am, respectfully,

Your obedient servant,

R. M. GAINES,

U. S. Attorney Miss. District.

The Hon. JOHN FORSYTH,
Secretary of State.

Mr. Fox to Mr. Forsyth.

WASHINGTON, November 28, 1837.

SIR: I am informed by Major General Sir John Harvey, Lieutenant Governor of the Province of New Brunswick, that her Majesty's 43d regiment of light infantry is under orders to proceed from that Province to the Province of Lower Canada; and that, marching by the route of the Grand Falls and the Madawaska settlement, the regiment will cross a part of the territory in dispute between the two countries.

Sir John Harvey has requested me to explain to the Government of the United States, and he is desirous that the same explanation should be given, through the proper channel, to the Government of the State of Maine, that this movement of troops, which will probably take place in the first week of January, is in no way whatever connected with any recent occurrences in the disputed territory; but that it is undertaken, in pursuance of superior orders, for the sole purpose of reinforcing the British military station in Lower Canada.

The route by the Grand Falls and the Madawaska settlement has all along been made use of for the transmission of the post, and for other ordinary communications between the two Provinces.

I have the honor to be, sir,

With great respect, your obedient servant,

H. S. FOX.

Hon. JOHN FORSYTH, &c.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, December 2, 1837.

SIR: I have the honor to acknowledge the receipt of your note of the 28th ultimo, apprising me that you had been informed by Major General Sir John Harvey, Lieutenant Governor of New Brunswick, that her Majesty's 43d regiment had been ordered to proceed to Lower Canada, and would cross a part of the territory in dispute between the two countries about the first week in January; and that you had been requested by Sir John Harvey to explain to this Government, and, through the proper channel, to the State of Maine, that this movement is in no way what-

ever connected with any recent occurrences in the disputed territory ; but that it is undertaken, in pursuance of superior orders, for the sole purpose of reinforcing the British military station in Lower Canada.

I avail myself of this occasion to renew to you the assurance of my high consideration.

JOHN FORSYTH.

H. S. Fox, Esq. &c.

Mr. Forsyth to Governor Dunlap.

DEPARTMENT OF STATE,

Washington, December 5, 1837.

SIR : I transmit, herewith, for the information of your excellency, the copy of a note addressed to the Department on the 28th ultimo, by the British minister at Washington, with the view of explaining to the Government of the United States, and through it to that of the State of Maine, an intended movement of his Majesty's 43d regiment of light infantry from the Province of New Brunswick to the Province of Lower Canada, which will probably take place in January next, through that part of the disputed territory on our Northeastern frontier over which the British mail passes. This explanation, as you will perceive, is made to the Federal Government, by the request of Major General Sir John Harvey, Lieutenant Governor of the Province of New Brunswick, in order to guard against any apprehension, in any quarter, of the movement referred to of British troops ; and it is now communicated to you, in accordance with his wish. Although the necessity of explaining a circumstance so little likely to be misapprehended by the Government or people of the United States, or of individual States, is not apparent, the motive of that explanation should be duly appreciated.

A printed copy of the President's annual message to Congress, delivered to-day at 12, M., is also enclosed.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

His Excellency ROBERT P. DUNLAP,
Governor of the State of Maine.

Mr. Fox to Mr. Forsyth.

WASHINGTON, *January 4, 1838.*

SIR : I have the honor to enclose to you an official despatch, dated the 23d ultimo, which I have received from Sir Francis Head, Lieutenant Governor of Upper Canada.

It appears from the statement contained in this despatch—and I lament to say that the same facts are fully and notoriously confirmed by information which has reached me through various other channels—that a part of the British territory of Upper Canada is, at this moment, actually invaded, the peace and safety of the inhabitants disturbed, and the existence

of the Provincial Government threatened by a formidable body of armed men, proceeding from the United States, furnished with artillery and ammunition, and fully equipped for war. These piratical invaders, who are now established at a point called "Navy island," on the Canadian side of the river Niagara, consist, in part, of outlaws who had fled from Upper Canada after the suppression of the late partial insurrection; in part also of American citizens, and of men of other nations, who have been recruited for the present felonious attempt within the confines of the United States. They are commanded by a native American, of the name of Van Rensselaer; they continue, openly and publicly, to procure, from a number of American towns near to the Canadian frontier, provisions, arms, ammunition, and all other things necessary to sustain their criminal enterprise. Their strength and numbers, and means of violence, are daily increasing, by recruits and contributions raised within the United States, in defiance of the known laws of the republic; in defiance, also, of the recorded wishes and feelings of all respectable classes of the American people, and to the scandal of public order and good neighborhood between peaceful nations.

I well know that the President and the Government of the United States do, equally with myself, deplore and condemn these strange and unlawful proceedings, which threaten no less a calamity than the waging of an unprovoked war, by a portion of the American people, against a neighboring portion of her Majesty's subjects, at a time when the two people in general, and their Governments, are not only united in peace, but are studying to enlarge the sphere of a happy and beneficial intercourse, and to strengthen the bonds of national affection and friendship. I feel, therefore, that I am doing no unfriendly act in pointing out to the Government of the United States the facts which have been brought officially to my knowledge, showing how the laws of the republic are transgressed, and the wishes of its best citizens defied, to the detriment of a friendly and kindred people; and I solemnly appeal to the supreme Government of the republic promptly to interpose its sovereign authority for arresting these disorders, before they shall have produced a train of disasters and of national resentments which it is equally the devout wish of both Governments to avert.

I have the honor to be, sir, with high respect and consideration, your most obedient and humble servant,

H. S. FOX.

Hon. JOHN FORSYTH, &c.

Lieutenant Governor Head to Mr. Fox.

GOVERNMENT HOUSE,

Toronto, Upper Canada, December 23, 1837.

SIR: It is my duty to lose no time in apprizing your excellency that the peace and security of this Province are at this moment threatened, and that its territory is actually invaded by a large band of American citizens from Buffalo, who have taken up arms, and established themselves in a hostile manner on Navy island, in the Niagara river, and within the territory of Upper Canada.

Your excellency has no doubt learned from the public papers, that, in consequence of the insurrection unhappily commenced in Lower Canada, but which, I have reason to believe, is now effectually suppressed, an attempt, as rash and hopeless as it was wicked, was lately made by three or four hundred persons in this vicinity to involve this Province in the miseries of civil war. In concert with this movement, an endeavor was also made to excite the people in another district to take up arms against the Government. Both these attempts were promptly and effectually suppressed by the loyal militia of this Province, unaided by any military force. Most of the deluded persons who were engaged in this rash and criminal enterprise have surrendered themselves, or been taken ; but the principal leader, William Lyon McKenzie, and some of the most active of his followers, succeeded, with great difficulty, in making their escape to the adjoining State of New York.

It was soon reported to me that, at Buffalo, to which place these traitors fled, strong symptoms were shown by numbers of American citizens to aid them with men and arms, and to supply them with other necessities, in order to enable them to make a hostile invasion of this Province.

That the public authorities in Buffalo, and the more respectable portion of the inhabitants, would discountenance such proceedings, I had no doubt ; and their conduct since has justified that expectation. But, as it was doubtful how far they might be able promptly to control this ebullition of hostile feeling towards a nation with which the United States hold the strictest relations of amity and peace, I immediately addressed a letter to his excellency Governor Marcy, at Albany, of which a copy is herewith sent.

No reply to this has yet reached me, nor do I know what steps, if any, have been taken on the part of the American Government, at Buffalo, to repress this hostile rising of their people.

Since that letter was written, McKenzie has been joined by some hundreds of American citizens from Buffalo and the adjacent villages, and they have established themselves on Navy island, as I have before mentioned, with artillery and arms procured in the United States.

The paper printed at Buffalo, which I send you, will show the spirit in which this movement is urged forward.

I am, of course, taking all possible means to repel invasion and insult ; and I believe that, in a few days, a considerable military force will be at hand, to sustain our gallant militia in this extraordinary and unlooked-for conflict.

I need not remark to your excellency how unfair and unjust it is, that a rebellion which, within this Province, was so insignificant that it was instantly crushed by the civil inhabitants of the country, should be renewed and rendered formidable by the direct and active encouragement of the American people ; and that, during the existence, not merely of peace, but of the most friendly relations between Great Britain and the Government of the United States, the peaceful population of this Province should be threatened with devastation and plunder, and all the miseries of civil war, by the unjustifiable interference of American citizens.

Though inhabiting a remote portion of the British dominions, the people of Upper Canada feel that they may rest assured of being ultimately protected by the whole force of the empire, if it be necessary.

They are conscious, also, that they deserve kinder offices at the hands

of the American people ; and I appeal to you, in their name, and as the representative of their sovereign, to urge upon the Government of the United States the immediate exertion of military force, to suppress a movement of their people, so insulting and injurious to a neighboring nation, and which, whatever temporary calamity it may inflict, must inevitably, unless promptly checked, lead to a national war, in which any wrongs committed against the people of this colony will, under the protection of a just Providence, be amply redressed.

I beg your excellency will not fail to assure the American Government of my sincere conviction that the facts of which I complain will certainly meet with their most unqualified reprobation.

I have the honor to be, sir, your excellency's most obedient, humble servant,

F. B. HEAD, *Lieut. Governor.*

His Excellency HENRY S. FOX,
British Minister at Washington.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,

Washington, January 5, 1838.

SIR : I have had the honor to receive your communication of the 4th instant, with the official despatch of the 23d ultimo from the Lieutenant Governor of Upper Canada. The President, to whom they were immediately submitted, has directed me to reply that he perceives, with great satisfaction, that you are duly sensible, not only of the wishes and feelings of this Government in relation to the unfortunate state of things on the frontiers of the United States, but of the general disposition of the people and authorities of this country to cultivate and extend that beneficial intercourse with Great Britain so well adapted to strengthen the existing bonds of national affection and friendship between the two nations.

You have already seen, in the public journals, the efforts that have been made, and are now making, both by the General and State Governments, to prevent any of our misguided citizens from interfering in the disturbances of the neighboring territory of the Canadas. I have had the honor, also, to make you acquainted with other measures which are in progress to the same effect, founded upon the information received from the officers of the United States who were sent to the frontiers to prevent violations of our laws ; and I now repeat to you, formally, for the satisfaction of your Government, and to relieve the anxieties of the authorities of Upper Canada, that all the constitutional power vested in the Executive will be exerted to maintain the supremacy of those laws which were passed to fulfil the obligations of the United States to all friendly nations who may be unfortunately engaged in foreign or domestic war.

Assurances to that effect to the authorities of Upper Canada may be given in the strongest terms ; and the President does not doubt that this object, so desirable in the present crisis to both Governments, will be accomplished, if insurmountable obstacles are not thrown in the way by the rashness of persons within the dominions of her Britannic Majesty, who, in their resentment or apprehensions, may think themselves author-

ized to make aggressions upon the United States for injuries committed by individuals who are violators of our laws, and who escape prosecution and punishment under a temporary excitement produced by the events on the frontier; and by the menaces directed against our own people by some of her Majesty's imprudent subjects.

With great respect and consideration, I have the honor to be your obedient servant,

JOHN FORSYTH.

H. S. Fox, Esq., &c.

Mr. Forsyth to Mr. Kellogg.

DEPARTMENT OF STATE,

Washington, December 7, 1837.

SIR: In the course of the contest which has commenced in a portion of the territory of Great Britain, between portions of the population and the Government, some of our citizens may, from their connexion with the settlers, and from their love of enterprise and desire of change, be induced to forget their duty to their own Government, and its obligations to foreign Powers. It is the fixed determination of the President faithfully to discharge, so far as his power extends, all the obligations of this Government, and that obligation especially which requires that we shall abstain, under every temptation, from intermeddling with the domestic disputes of other nations. You are, therefore, earnestly enjoined to be attentive to all movements of a hostile character, contemplated or attempted within your district, and to prosecute, without discrimination, all violators of those laws of the United States which have been enacted to preserve peace with foreign Powers, and to fulfil all the obligations of our treaties with them.

I am, sir, your obedient servant,

JOHN FORSYTH.

DANIEL KELLOGG, Esq.

United States Attorney, Rockingham, Vermont.

[The same to the District Attorneys for the northern district of New York and Michigan district.]

Mr. Forsyth to Governor Marcy.

DEPARTMENT OF STATE,

Washington, December 7, 1837.

SIR: A contest having commenced in a territory of Great Britain adjoining the United States, between portions of the population and Government, during which attempts may be made to violate the laws of the United States passed to preserve the relations of amity with foreign Powers, and to fulfil the obligations of our treaties with them, by the directions of the President I have the honor to request the attention of your excellency to any movements of that character that may be contem-

plated in the State of New York, and your prompt interference to arrest the parties concerned, if any preparations are made of a hostile nature against any foreign Power in amity with the United States.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

His Excellency WILLIAM L. MARCY,

Governor of the State of New York.

[The same to the Governors of Vermont and Michigan.]

Mr. Trowbridge to Mr. Fillmore.

BUFFALO, *December 12, 1837.*

MY DEAR SIR: You will no doubt have seen by the papers that there has been an outbreak among the Canadians at Toronto. The *patriots* or *rebels* imbodyed to the number of three or four hundred and made an attack on the city, but were defeated by the loyalists. I cannot learn that the patriots are assembled in force at any one point at this time. The loyalists are under arms along the lines, and the several ferries guarded. McKenzie and Dr. Rolfe, the leaders of the patriots, are in this city, and I understand their object is to solicit aid in some shape; either men, munitions of war, or both. They are to have a meeting to-night in the theatre. There have already been held three popular meetings in favor of the patriots, very numerous attended. There is a strong feeling in our place in their favor. I am apprehensive that this feeling will lead to the organization of a force for the purpose of aiding them. I feel as though our situation is somewhat critical, and that the imprudent and ardent zeal of some individuals among us may urge the populace into measures which may commit the country, and disturb the good understanding which exists between this Government and that of Great Britain.

You are at liberty to submit this letter to the President or the Secretary of War, if you deem it proper to do so.

I am, sir, with great respect, yours,

J. TROWBRIDGE.

Mr. Trowbridge to the President.

BUFFALO CITY, MAYOR'S OFFICE,

December 14, 1837.

YOUR EXCELLENCY: Recent occurrences in this city, and upon this frontier, appear to me to require that the attention of the Executive of the General Government should be called to them, or we shall be seriously compromised with the English Government.

A short time since a meeting was called in this city by some young men, from mere sport, and without any serious intentions. It appears, however, that a greater excitement existed than they had anticipated;

and meeting after meeting has been held, each more numerous than the other, until the evening of the 12th instant, when there was collected the largest assemblage ever known in this city. W. L. McKenzie, a Canadian reformer, was present and addressed the meeting, and avowed that he wished to obtain arms, ammunition, and volunteers, to assist the reformers in Canada.

Yesterday (13th) men were actively engaged in collecting arms and ammunition, and enrolling names, for the openly-expressed purpose of invading Canada. A handbill was posted up towards evening, calling upon the volunteers for Canada to meet in front of the theatre, for the purpose of taking up their line of march. A number met, armed and equipped. A large assemblage soon after gathered around the Eagle tavern, which had been the *depot* for arms through the day. A general was duly appointed to take command of the invading army. About nine o'clock the people generally dispersed. The volunteers, with their friends and abettors, marched, with their arms and colors, out of the city, as was supposed for the night; about one o'clock this morning a portion of them returned and entered the court-house, and forcibly took from the sheriff two hundred stand of arms belonging to the State arsenal at Batavia. They also took from the gun houses two field-pieces, and then marched to Black Rock, where they are now quartered.

These proceedings create great excitement on the other side of the river, and the Government is at great expense to guard their frontier: two hundred provincial militia are in arms at Fort Erie and Waterloo.

The civil authorities have no adequate force to control these men, and, unless the General Government should interfere, there is no way to prevent serious disturbances; and I have considered these transactions of too much importance to pass without apprizing you of the facts.

Trusting that your excellency will cause such measures to be taken as will put a speedy end to these outrages, and ensure the punishment of the leaders,

I have the honor to be,

Your excellency's obedient servant,

J. TROWBRIDGE, *Mayor*.

Governor Jenison to Mr. Forsyth.

EXECUTIVE OFFICE,

Shoreham, Vermont, December 16, 1837.

SIR: I yesterday received a communication from the Department of State of the United States, stating, "that during the contest at present existing in the neighboring Province of Lower Canada, attempts might be made to violate the laws of the United States, &c.; and requesting the attention of the authorities of this State to any movements of that character, and a prompt interference to arrest the parties concerned, if any preparations of a hostile nature are made against any foreign Power in amity with the United States."

From representations made to me, I had felt that the emergency of the case called for the interference of the public authorities, and had, two

days before receiving your communication, by proclamation called the attention of my fellow-citizens to the subject.

On the 14th instant, a deputation from a committee raised at public meetings of the inhabitants of Swanton and St. Alban's, called upon me with a request that I would cause arms and munitions of war to be distributed among the frontier inhabitants of this State. There are none at the disposition of the Executive of this State. I enclose a paper containing the proceedings of those meetings, which will show the feelings existing in that neighborhood.

The General Government must judge of the propriety and expediency of placing a detachment of troops in that neighborhood, to allay the fears of the inhabitants.

Should there be another rising in the Lower Province, such circumstances as that at Swanton and St. Alban's on the 6th will be very likely to occur again.

I am, sir, &c.

S. H. JENISON.

Hon. J. FORSYTH,
Secretary of State of the United States.

Mr. Wright to Mr. Forsyth.

WASHINGTON, *December 16, 1837.*

MY DEAR SIR: The enclosed letter from the collector of the customs for the district of Burlington, in the State of Vermont, came to me this morning, and I consider it to be my duty to transmit it to you. I presume, from a notice I have seen in the public papers of your communications to the Governors of the States bordering upon the Canadas, that any steps which the information might call for from this Government have been anticipated. Still, as I doubt not the letter was written with the intention that it should be laid before the proper Department here, I communicate it. Colonel Hyde is well known to me, and is a faithful, patriotic, and worthy officer, and would communicate nothing of which he was not well informed.

* * * * *

I am, with high respect,

Your obedient servant,

SILAS WRIGHT, JR.

Hon. JOHN FORSYTH,
Secretary of State.

Mr. Hyde to Mr. Wright.

BURLINGTON, VERMONT, *December 11, 1837.*

DEAR SIR: Since the commencement of hostilities among our neighbors, the Canadians, some things have taken place on this frontier, and on this side of the line, which it may be important to the Government to know, in order that our own citizens may be informed by proclamation, or otherwise, what line of conduct they are to pursue to keep themselves within the laws of Congress and treaty stipulations. Of the propriety of giving it this information, I shall not undertake to judge; I leave that entirely to yourself. All I shall attempt to do is, to give you the facts.

After the battle of St. Charles, many of the patriots, who fled from that and other places in Canada, congregated themselves in Swanton and Highgate, along the line, in the county of Franklin, in this State; there being there, as well as all through this section of country, a very strong feeling in their favor. Our citizens soon furnished them with three pieces of cannon, some small arms, powder, lead, and other munitions of war. Thus furnished, the patriots, on Wednesday last, made a descent from this point into Canada, and had not proceeded far when they were met by a party of loyalists, who routed them and took two pieces of their cannon, killed some of their party, took others, and the remainder returned to Swanton, where they now are. The royalists lost, as it is said, in this affair, but one man, a Captain Moore, killed. As these facts must be as well known at Quebec as here, and, from the excited state of public feeling, others of a like character may take place, out of which collisions may grow which would be deprecated by the Government, I have thought proper to give you this information.

With much respect and esteem,

Your obedient servant,

ARCHD. W. HYDE.

Hon. S. WRIGHT, Jun.,

U. S. Senate, Washington, D. C.

Mr. Forsyth to Mr. Wright.

DEPARTMENT OF STATE,

Washington, December 18, 1837.

DEAR SIR: Your letter of the 16th instant has been received, enclosing a communication addressed to you by Colonel Hyde, respecting occurrences upon our Northern frontier.

It is the determination of the President that the law which forbids the interference of our citizens in contests between parties with which the United States are at peace, shall be, in every instance, strictly executed; and precautionary measures have been accordingly taken to secure its rigid enforcement in reference to the war now waging in Canada.

I am, dear sir,

Very respectfully, &c.

JOHN FORSYTH.

Hon. SILAS WRIGHT, Jr., *U. S. Senate.*

Mr. Benton to Mr. Forsyth.

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

Little Falls, December 18, 1837.

SIR: I have the honor to hand you, for the information of the President of the United States, a copy of a letter which was received by me last evening, from the honorable J. Trowbridge, mayor of the city of Buffalo, and a copy of a letter written by me to the Governor of the State, enclosing a copy of the letter from the mayor; a copy of a letter this day received by me from P. A. Barker, Esq., collector of the port

of Buffalo creek, and also copies of letters this day received from Governor Marcy. From these letters, it will be perceived; that an armed force has been collected within the territory of the United States for the purpose of invading Canada. I have taken all steps within my power to have the offenders arrested, or such of them as can be found. I will proceed to Buffalo in person, if it is deemed advisable to do so; but I would suggest that I should be authorized to employ some discreet and proper person, a resident of the city of Buffalo, to aid me in collecting information, and in detecting and arresting the offenders. I reside about two hundred miles from Buffalo, and the district judge and marshal about one hundred and thirty miles. The State officers and magistrates are not, I apprehend, *bound* to act in aid of the United States officers, although they are, by acts of Congress, authorized to do so.

I am, with great respect,

Your obedient servant,

N. S. BENTON,
United States Attorney.

Hon. JOHN FORSYTH,
Secretary of State, Washington.

Mr. Trowbridge to Mr. Benton.

BUFFALO CITY, MAYOR'S OFFICE,

December 14, 1837.

SIR: Recent movements in this city and on the frontier render it of the utmost importance that some United States officer should be here forthwith, prepared with the necessary papers to make arrests for a violation of the law in relation to arming, &c., against a foreign Power.

A band of armed men are now at Black Rock, with the avowed intention of invading Canada, and they are constantly collecting arms and ammunition.

It is of the utmost importance to the whole country that you or the marshal, perhaps both, should come here immediately.

I am, sir,

Very respectfully,

Your obedient servant,

J. TROWBRIDGE,
Mayor.

N. S. BENTON, Esq.

Mr. Benton to Governor Marcy.

UNITED STATES DISTRICT ATTORNEY'S OFFICE,

Little Falls, December 18, 1837.

SIR: I hand you herewith a copy of a letter which I last evening received by mail from the mayor of the city of Buffalo, from which it will be seen that an armed force is collecting within the territory of the United States, and within the jurisdiction of this State, with the avowed intention of committing hostilities against a Power with whom the United States are at peace. The marshal of the district has been requested by

me to repair to the spot and make arrests of all offenders against the laws of the United States; and whether he will be able to do so, without the aid of a military force, may perhaps be questionable; but it is to be hoped no violence will be used against the authority of our laws.

I am, with great respect,

Your obedient servant,

N. S. BENTON,

U. S. Attorney.

His Excellency Wm. L. MARCY,

Governor, &c.

Mr. Barker to Mr. Benton.

COLLECTOR'S OFFICE,

Buffalo, December 15, 1837.

SIR: Yours of the 12th instant has been received. In answer, I have to observe that there is no doubt the law you refer me to has been violated. It would be difficult for me to give you all the particulars in a letter. I will, however, state that meetings have been held in order to excite the people against the Canadians; men have been raised, say to the number of one hundred or more; arms and ammunition have been furnished them; a committee has been appointed to receive donations for the patriots, such as arms and accoutrements, &c.; arms have been forcibly taken; some of our citizens have been threatened with violence; colors have been raised, and men have been marched through the streets, under the command of a man by the name of Southerland; officers have been appointed to take command; and a force has actually marched from this city. We have been in a great state of alarm and excitement for the last few days. I think, however, the crisis is passed, and we have nothing more to fear. You were addressed yesterday, by order of the common council, of which I am a member. Some gentlemen here think that it is your duty to come here and investigate the whole affair, and prosecute the offenders; others are opposed, thinking that, if any arrest should be made, the feeling here is so strong in favor of the patriots, that it would lead to violence and bloodshed. Your own judgment on this important subject must be your guide. Should you come to Buffalo, every assistance would be afforded you by the good citizens of this place to sustain you, and to furnish all the information in their power. I have ordered a portion of your letter published, in order to deter any further violation of the laws; also to satisfy the inhabitants of Canada that such acts are not countenanced by our Government. I shall be happy to execute any command you may wish to make upon me. I have just learned that McKenzie has left the city with his force of about one hundred men, to join the patriots, who have got possession of an island in the Niagara river, said to be about three hundred strong.

Respectfully, your obedient servant,

PIERRE A. PARKER,

Collector.

N. S. BENTON, Esq., *U. S. Attorney.*

• *Governor Marcy to Mr. Benton.*

ALBANY, December 17, 1837.

The enclosed was received this morning, postmarked at Burlington. I have thought that the proper disposition for me to make of it, was to send it to you. I have no knowledge of Mr. L., and have taken no pains to inquire of the gentleman to whom he has referred me. I have however written to him that I should send his communication to you. I have also written to Wm. F. Waile, at Plattsburg, the first judge of Clinton county, naming the persons at that place charged in the letter with offences against the laws of the United States.

Yours, &c.

WM. L. MARCY.

N. S. BENTON, Esq.,
U. S. District Attorney.

Mr. Lyman to Governor Marcy.

BURLINGTON, VT., December 14, 1837.

In addressing your excellency, the undersigned begs to state that he is a merchant, residing in Montreal. Hearing much said about warlike preparations on the frontier, within the United States, for the alleged purpose of assisting the insurgents of Lower Canada, and having some commercial transactions in this country, the writer was induced to leave Montreal on the 6th instant with a view to satisfy himself regarding any infraction of the laws of neutrality.

He was the more anxious on this subject, having invariably given his opinion (as an American) that a strict neutrality would be practically observed. But, after a residence of two days at Plattsburg, the undersigned is forced to the conclusion that the laws of the United States, so consonant with sound policy, and so specifically inculcated by the first President of these States, and so clearly recognised by the present distinguished incumbent, have been, and are, openly violated.

At Plattsburg a company has been formed, consisting of from 28 to 40 men; arms are prepared, and *private* drilling is the business of each night.

The first day, the writer heard the subject spoken of publicly, openly, and without the least disguise. And he certainly was shocked to see the apathy exhibited by the more respectable class of the community. These persons say: "'Tis nothing but a parcel of boys." "Persons of no respectability." "They will never go to Canada." But your excellency will perceive that these boys, these irresponsible individuals, are the only persons to be feared. A village barber is openly and constantly (when unemployed at his trade) manufacturing balls; and, without the least reserve, assured the undersigned that these bullets were to kill the tories of Canada; and that one ball would do the business of a man worth £2,000 a year. Your excellency will please excuse this detail, as the object is to afford a clew to facts rather than to give legal testimony. A

Mr. Samborn, a student at law, is the captain of the company ; a Mr. Palmer figures as a subaltern ; the third officer is not recollected. In engaging in this enterprise, the volunteers were required to subscribe to a paper engaging to march to Canada whenever their services might be required ; and the affixing the signature to this paper should have all the mental obligation of an oath : so said an informant who was present, and a man of good character. This appeal to your excellency is entirely prompted by the necessity of the case : the undersigned has no authority from the Government of Canada, nor is he an agent ; and he writes fearing your excellency may not be apprized of facts, and that incorrect information may reach your excellency's ear. For instance, Col. McNeil was lately at St. John's, and was told there by the celebrated Capt. Marryatt, of the royal navy, that a company of 28 men had been formed at Plattsburg ; this the colonel stoutly denied, not having heard of the fact. But to use the colonel's own words : " When I returned, I found it all true, and felt excessively mortified." It is now under discussion to form a camp at Chateaugay, near the lines, to embody all refugees and volunteers. But this will probably drop since the general adhesion of the Lower Canadians to the Government. One thing more should be mentioned. Yesterday a letter was received at this post office, postmarked Oswego, 10th inst., purporting to be in accordance with a meeting held at that place to arrest the Lower Canada patriots ; and at which meeting 150 volunteers came forward, and were ready to march under Capt. John H. Smith. The letter is signed W. H. Eagle and J. B. Wells, committee. This committee inquire if there is a rendezvous at Burlington and any recruiting officer, (as they have been informed,) and if there is any money ? If required, Capt. Smith will march immediately. This letter has all the marks of authenticity, though the address is concealed, for obvious reasons. The same letter also mentions that many men are enlisting at Rochester ; " but these will probably march to Upper Canada." In conclusion, let me assure your excellency that I am somewhat apprehensive that it will require unusual energy to enforce the act of neutrality ; such is the sympathy for the poor deluded Canadians. If, however, the people of this country were fully informed as to the points at issue, their sympathies would be in favor of the entire mass of their countrymen residing in Lower Canada, including that populous district of country called the Eastern Townships. From these hints your excellency may glean something that may serve the cause of justice and humanity. As to the standing and character of the undersigned, your excellency will please to inquire of Mr. Benedict, hardware merchant ; Messrs. Russell, dye and drug dealers ; or the Rev. Mr. Kish, should that gentleman have returned from Europe. Should your excellency require from the undersigned any information, his address will be Montreal ; and begs to subscribe himself

Your excellency's obedient, humble servant,
WILLIAM LYMAN.

To his Excellency WILLIAM L. MARCY,
Governor of the State of New York.

Mr. Kelly to Mr. Forsyth.

BURLINGTON, VERMONT,

December 20, 1837.

SIR: On the 14th I had the honor to receive your letter of the 7th instant, relative to the contest then going on between the Government of Canada and a portion of the people of that territory, and directing me to be attentive to all movements of a hostile character within this district. On the same day I received such information through the Canadian papers, and the papers upon our Northern frontier, as induced the belief that the war in Canada was brought to a close; and not having heard the slightest intimation of any interference on the part of the citizens of this State in that contest, I was not aware that it could be necessary for me to take any measures upon the subject. On the 16th instant I was informed by the public papers that large meetings of the citizens had been holden at St. Alban's and Swanton, in this State, at which resolutions had been passed, indicating a high degree of excitement, and making a call upon the Governor of this State for a supply of arms. At the same time I received the proclamation of the Governor of the State, in which he says, "that it has been represented to him, that, in some few instances, hostile forces have been organized in this State." I then deemed it my duty, without delay, to repair to the frontier, with a view to ascertain, if practicable, whether any thing had been, or was likely to be, done on the part of our citizens, or by others within this State, in violation of the laws of the United States, enacted for the preservation of peace with foreign Powers. I, at the same time, addressed a letter to the Governor, requesting him to communicate to me any evidence in his possession tending to show the organization of hostile forces in this State, an answer to which has not yet been received.

I arrived at St. Alban's on the 18th, and visited Swanton on the 19th. I found a high degree of excitement prevailing among the citizens of those towns, and throughout the country generally, arising partly from sympathy for the suffering Canadians who had fled from their own country and taken refuge among them, and partly from the imprudent conduct of a few persons on each side of the line, thereby causing an apprehension among the inhabitants upon the frontier that they were insecure in their persons and property. But I am *happy* to state that I have been unable to obtain any definite information that any *citizens of the United States* within this State have been guilty of a violation of any of those laws enacted by the United States to preserve peace with foreign Powers. It does, however, appear, that on the 6th instant a party of Frenchmen, to the number of sixty or seventy, came from the Province of Lower Canada into Swanton, and were there supplied with arms, which had been previously procured by their countrymen; that they immediately recrossed the line into Canada, where a slight engagement took place; that they were defeated and driven back into Swanton, when the civil authority of the town, as I am informed, immediately took from them their arms, and they dispersed; some of them returning to their own country, and others going to different parts of this country. I am not apprized of the names of the individuals thus engaged

in the violation of the laws of our country, or where they are to be found.

The intelligence from Canada received yesterday at the lines, induces the belief that the contest there is at an end; the Government troops having defeated and dispersed the patriots in every part of the Province.

The excitement prevailing among our citizens is fast subsiding, and I have every reason to believe that perfect tranquillity will be immediately restored to the inhabitants upon this frontier.

Believing that my longer continuance in this vicinity is entirely unnecessary, I shall immediately return to my residence at Rockingham, where I shall be happy to receive your further commands.

I have the honor to be your obedient servant,

DANIEL KELLOGG,
Attorney U. S., Vermont District.

HON. J. FORSYTH,
Secretary of State, Washington.

Mr. Forsyth to Mr. Kellogg.

DEPARTMENT OF STATE,
Washington, December 20, 1837.

SIR: Information has been received, from a source which entitles it to attention, that, after the battle of St. Charles, which took place some time since, many of the insurgents, who fled from that and other places in Canada, collected at Swanton and Highgate, in the State of Vermont, and that citizens of the United States furnished them with three pieces of cannon, some small-arms, powder, lead, and other munitions of war; and that, having been thus furnished, the insurgents, on the 6th of the present month, made a descent into Canada, where they were met by a party of loyalists, and routed, with the loss of two pieces of cannon, one of the party being killed and others wounded, and that the remainder returned to Swanton. The President directs that you institute an immediate inquiry into the facts thus stated; and, if they should be found to be correct, and susceptible of proof, that you commence legal proceedings against all such persons as appear to have been concerned in violating the law for the preservation of the neutral relations of the United States.

You are also directed to exercise constant vigilance during the pending contest, and to take all proper steps to prevent the recurrence of acts similar to those into which you are now called upon to examine.

I am, sir, your obedient servant,

JOHN FORSYTH.

DANIEL KELLOGG, Esq.

United States District Attorney, Rockingham, Vermont.

P. S. A circular letter, of which a copy is enclosed, has been addressed by the Secretary of the Treasury to each of the collectors of the customs of the United States bordering on the Canadian frontiers, requiring them and their officers to co-operate with the district attorneys and other United States officers in all legal modes for the preservation of the neutrality of the Government and people of this country during the disturbances in Canada.

Mr. Fillmore to Mr. Poinsett.

HOUSE OF REPRESENTATIVES,

December 21, 1837.

SIR: I have the honor to enclose herewith a letter from Doctor Scott, one of our most respectable citizens, at Buffalo, showing, in addition to the mayor's letter, which I handed you yesterday, the state of feeling there.

I have the honor to be,

Your most obedient servant,

MILLARD FILLMORE.

Hon. JOEL R. POINSETT.

P. S. I have *erased* certain names, as desired by Doctor Scott.

Mr. Scott to Mr. Fillmore.

BUFFALO, *December 13, 1837.*

DEAR SIR: His honor the mayor informed me to-day that he yesterday wrote you on the subject of the excitement which at this time prevails in Buffalo with relation to the Canada war. At his request I add a few lines.

McKenzie and Dr. Rolfe are here, and attended a large meeting of our citizens held last evening at the theatre. Many exciting and inflammatory speeches were made, until the rabble were rife for any thing. After the meeting they patrolled the streets nearly all night, accompanied with shouting, military music, &c. Men are openly and publicly solicited to take part with the liberals, and arms and ammunition publicly procured and deposited at the Eagle tavern. It is said that quite a number of our citizens have agreed to put themselves under McKenzie's command, and march for Canada to-night. The Eagle is now crowded to overflowing, and a multitude around it who cannot get in. You know that our population is composed of excitable materials; and they are generally excited—I mean the rabble. Few of our respectable men have taken any active part. I must however except * * * *. They have addressed these meetings, and have done much towards producing the present excitement.

I have fears, and am not alone in that respect, that some act may be done to implicate the Government, and eventually lead to a war with England; and am desirous that some step should be taken to prevent the possibility of such an occurrence. I have, therefore, just briefly stated these facts; and if they should be thought of any importance, you are at liberty to lay this communication before the President or Secretary of War, at your discretion. It might, in that case, be proper to erase the names of our neighbors which I have given; as they, perhaps, would not be willing to have quite so much publicity given to their acts.

I am, sir, very respectfully, yours,

W. K. SCOTT.

Hon. M. FILLMORE.

Mr. Forsyth to Mr. Benton.

DEPARTMENT OF STATE,

Washington, December 21, 1837.

SIR: Information has been received, from a source entitling it to attention, that McKenzie and Rolfe, leaders of the insurgents in Upper Canada, were in the city of Buffalo on the 12th of the present month, with the object, it was understood, of soliciting aid in the shape of men and munitions of war; that they were that night to have a meeting in the theatre; that three popular meetings, in favor of the insurgents, had already been held, which were numerously attended; and that there was a strong feeling favorable to them in that place, which, it was apprehended, would lead to the organization of a force, for the purpose of rendering them assistance. The President directs that you institute an immediate inquiry into the facts thus stated, and the subsequent movements connected therewith. Should these have been in violation of the law, and susceptible of proof, you will commence legal proceedings against all such persons as appear to have been concerned. You are also directed to exercise constant vigilance during the pending contest, and to take all proper steps to prevent the recurrence of acts similar to those into which you are now called upon to examine.

I am, sir, your obedient servant,

JOHN FORSYTH.

NATHANIEL S. BENTON, Esq.,

U. S. Attorney for the Northern District of New York.

P. S. Since the above was written, a letter has been received by the President from the mayor of Buffalo, containing information which calls for immediate attention. You will, therefore, proceed, with the marshal of the district, immediately, to Buffalo; and institute legal proceedings against all such persons as shall appear to have violated the laws of the United States.

Mr. Woodbury to Mr. Forsyth.

TREASURY DEPARTMENT, *December 21, 1837.*

SIR: In compliance with directions given by the President in his reference to this Department of a letter addressed to you by N. S. Benton, Esq., United States attorney for the northern district of New York, upon the subject of the affairs of Canada, circular instructions have been issued to the collectors of the customs in the districts bordering on the frontiers of the Canadas, copies of which I have the honor to transmit herewith, for your information.

Mr. Benton's letter has been sent to the War Department, in accordance with the directions contained in the President's reference.

I have the honor to be,

Very respectfully, your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

HON. JOHN FORSYTH,

Secretary of State, Washington.

Circular to Collectors of the Customs of the United States in the Districts bordering on the Canadian frontiers.

TREASURY DEPARTMENT, *December 19, 1837.*

SIR: In consequence of the disturbed condition of affairs at present existing in the British Provinces of Upper and Lower Canada, and with the view of ensuring due compliance with the acts of Congress, and the treaty stipulations in force between Great Britain and the United States, and thereby preserving a strict neutrality on the part of the Government and the people of this country, orders, by direction of the President, have already been given to the respective district attorneys, to have all citizens or other inhabitants of the United States prosecuted, who may be concerned, in any manner, in violating those laws or treaties.

By a similar direction, you and your officers are required to co-operate with the district attorneys, and other United States officers, in all legal modes, to assist them in the accomplishment of the objects before stated.

I am, respectfully,

Your obedient servant,

Secretary of the Treasury.

To _____

Collector of _____

Governor Mason to Mr. Forsyth.

DETROIT, *December 21, 1837.*

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant. I have no idea that any attempt will be made by the citizens of Michigan to interfere in the controversy now pending between the Government of Great Britain and a portion of the people of the Canadas. Should, however, the contingency contemplated by the President arise, he has my assurance that I will use every exertion to prevent any violation of the act of Congress for the preservation of the relations of amity with foreign Powers and the Government of the United States.

I have the honor to be,

Your obedient servant,

STEPHENS T. MASON.

HON. JOHN FORSYTH.

Mr. Barker to the President.

BUFFALO, *December 23, 1837.*

SIR: I have to inform you that Mr. Garrow, the marshal for this district, is now in this city, in order to make arrests for all violations of the laws that have been passed to preserve the neutrality between this Government and Great Britain. I have been called upon by many of the leading men in the Province to know what our Government intended to do. I have assured them that nothing would be wanting, on the part of

the President, to enforce and prosecute all violations; and I can assure you that the civil authorities here will do all they can to aid Mr. Garrow in the execution of his duties. There has been great excitement here. I think, however, the crisis past. The patriots have left the neighborhood, and are strongly fortified on a British island in the Niagara river, to the amount of six or seven hundred men, with ten or twelve pieces of cannon, *stolen* from different parts of the country. Balls have been cast at a foundry in this city, which is now stopped. Men are flocking in from all quarters to join the patriots on the island, under General Van Rensselaer, viz: Buffalo, Batavia, Rochester, Lockport, &c.

With great respect,

I am your obedient servant,

PIERRE A. BARKER.

M. VAN BUREN,
President of the United States.

Mr. Benton to Mr. Forsyth.

U. S. DISTRICT ATTORNEY'S OFFICE,

Little Falls, December 26, 1837.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant this day, enclosing a copy of the letter from the mayor of Buffalo to the President of the United States, and shall start for Buffalo to-morrow; although you will perceive, from copies of the enclosed letters, I cannot hope or expect to accomplish any thing. I now have the honor to hand you, for the information of the President, copies of two letters from the marshal of the district, of two from the collector of Buffalo, of two from the collector at Rochester, and of one from the collector at Lewiston.

Immediately after the receipt of your letter of the 7th instant, I wrote to the several United States collectors in this district, stating to them the nature of my instructions, and requested them to aid me in enforcing the laws of the United States. On the 18th instant I wrote to the Department, enclosing sundry communications which had been received by me, which had not probably been received at the Department at the date of the above this day received by me. After the promulgation of Governor Marcy's proclamation, calling on the State officers and magistrates of this State to aid the United States officers in preserving inviolate the laws of the United States, I wrote to the several States district attorneys and first judges of counties along the whole frontier, earnestly soliciting their co-operation in arresting all violators of the laws of the United States passed to preserve our neutral relations with other Powers; and at the same time I sent to these officers, as well as to the postmasters and United States collectors, a printed paper, one of which I now have the honor to enclose.

It is now, I believe, pretty well ascertained that six or seven hundred stand of arms, belonging to this State, have been taken, by force or otherwise, at Buffalo and Batavia; and that all the artillery pieces and carriages in the county of Niagara, also belonging to the State, have been taken, and, with the small-arms above mentioned, carried to Navy island,

the headquarters of the forces collecting, and destined to act against the colonial authorities of Upper Canada. I have this day written to the President of the United States, suggesting to him the propriety of ordering an armed force to Fort Niagara. The state of popular feeling along the whole frontier, and far into the interior, is such as to induce a strong belief that the forces collected at Navy island, or others, may seize the United States armament at Fort Niagara, should the same be supposed of any use in the contest with the royal forces in Canada. The immediate occupation of this fortress by a company or more of good troops, under the command of a prudent and cautious officer, is suggested as a measure of precaution. I have, since the receipt of your letter of the 7th instant, taken every step within my power to arrest the violators of the laws, and to prevent their violation. On the 18th instant I wrote to the marshal, and requested him to repair immediately to Buffalo, and appoint two or more deputies at this place; and desired the collector to put one of his trusty inspectors to the duty of collecting information which could enable me to procure process from the district judge to arrest the offenders, in case the State magistrates should refuse to issue process, which I had reason to fear they would do. The state of things at Rochester, you will perceive, is nearly or quite as bad as at Buffalo. The civil arm will no doubt be found too weak to contend with the present state of feeling. The press will denounce all arrests, and efforts be made to prevent the due administration of justice. If, on my way to Rochester, I should meet the marshal of the district, and, on consultation with him, we should be of opinion that my presence at Buffalo would produce excitement and disturbances, (as it seems to be the opinion expressed by Mr. Barker, in his letter of 23d instant,) I shall venture to exercise a discretion in this respect, and shall hope it will meet with the approbation of the President of the United States. The district attorney assures the President he has made every effort in his power to prevent the unfortunate and illegal occurrences which have taken place at Buffalo, and other places on the frontiers, and will not allow any opportunity to pass of arresting and bringing to trial all offenders against the laws of the land.

I am, with great respect,
Your obedient servant,

N. S. BENTON,
U. S. Attorney.

Hon. JOHN FORSYTH,
Secretary of State, Washington.

Mr. Barker to Mr. Benton.

BUFFALO, December 23, 1837.

SIR: I have to inform you that Mr. Garrow is now in this city. The civil authorities here will do all they can to aid him, and to prevent any further violations of the law.

The island in the possession of the patriots is a British island. It is strongly fortified. They now, I understand, number about 800 men;

have stolen and got in their possession ten or twelve pieces of cannon ; are well supplied with provisions from this city and the adjoining places, viz : Lockport, Rochester, &c. All is quiet here at present. The Canadians are leaving Canada in great numbers. Our mayor resigned his office last evening.

Truly yours,

PIERRE A. BARKER.

N. S. BENTON, Esq.,
U. S. Attorney.

Mr. Barker to Mr. Benton.

COLLECTOR'S OFFICE,

Buffalo, December 23, 1837.

SIR : I am in receipt of yours of the 20th instant, in relation to the casting of cannon-balls. In this, I have to say that I understand they have been cast at the furnace of John Wilkinson & Co., at the furnace of Isaac W. Skinner, and at the furnace of General Peter B. Porter, at Black Rock.

I have employed a trusty deputy to collect the information you desire, viz : names, &c. ; and will communicate the information when obtained.

Rensselaer Van Rensselaer is the name of the general on Navy island. The name of the colonel, who has figured the most in this business, is Thomas J. Southerland. On consulting with the marshal and district attorney, we have come to the conclusion to advise you to delay making a journey here at this time ; thinking, perhaps, that it would only tend to increase the present excitement. We are of opinion the appearance of the marshal on this frontier will have the effect to put down any further violations of the *law*.

Wilkinson was called upon this morning by us, in company with Mr. G. He acknowledged that he had cast balls at his furnace ; and that he did not know that he was violating any statute, and pledged himself that he would desist. Volunteers are constantly pouring in from the country to Navy island.

Truly yours,

PIERRE A. BARKER, *Collector.*

N. S. BENTON, *U. S. Attorney.*

Mr. Gould to Mr. Benton.

ROCHESTER, *December 22, 1837.*

SIR : The marshal left here this morning for Buffalo. He wishes me to say he will expect to see you here or there in a short time. Things about as yesterday. I saw Mr. Eaton, of Lockport, to-day. He says the State pieces of artillery in Niagara county are taken to Navy island,

as is supposed, without let or hindrance. Rather a bad state of things; however, people will soon come to their senses, I hope. I will be glad to see you here.

In haste, yours,

J. GOULD, *Collector*.

HON. N. S. BENTON.

Mr. Garrow to Mr. Benton.

AUBURN, *December 21, 1837.*

DEAR SIR : Both of your communications of yesterday have been duly received. I start to-morrow morning for Buffalo. There have been letters received in this place to-day from Buffalo, of the 18th, saying there were soldiers enlisted daily in the streets of that place. I suppose I can do nothing with those who have or may commit offences out of my presence, unless I have processes against them. I have written to Cady, and also to Fairbanks, directing them to put the law you referred to in force, and to keep you apprized of all relating to the matter of consequence, as well as myself.

I am your obedient servant,

N. GARROW.

N. S. BENTON, Esq.

Mr. Scoville to Mr. Benton.

COLLECTOR'S OFFICE, DISTRICT OF NIAGARA,
Lewiston, December 21, 1837.

SIR : I have received your letter of the 12th instant, on the subject of the existing contest in Upper Canada. No specific act worthy of notice has come to my personal knowledge; yet I think proper to apprise you of what is going on in this and the adjacent district.

You are already aware, from the public press, that McKenzie is concentrating men and munitions of war on Navy island. He obtains them from Canada, Buffalo, Lockport, and the immediate vicinity. Their number is said to be five or six hundred, with nine pieces of artillery, which have been obtained in this part of the State—in what manner I am unable to say. Munitions of war, provisions, &c. are daily going on to the island from Buffalo. The ferry to the island is in the Buffalo district. There is a general feeling here in favor of the radical cause, and it may become difficult to prevent violations of the laws of neutrality. I shall most cheerfully, however, render all the aid in my power, as I feel it to be a matter of the highest importance. I yesterday took a few pieces of smuggled cloth from a *patriot*, who said it was intended for the soldiers on the island.

The news from the western district renders it very certain that Dr. Dunscombe and his forces have dispersed. Persons wishing to come out of Canada have to obtain a pass. They are determined not to let Dr. Dunscombe, or any more of those for whom a reward has been offered, escape.

Would it not be well for you to ask the Secretary of War to send a company of United States troops to occupy Fort Niagara? It would put a stop most effectually to what is going on, and protect the public property at the fort.

I am, sir, with great respect,

Your obedient servant,

SEYMOUR SCOVILLE, *Collector.*

N. S. BENTON, Esq.,

U. S. District Attorney.

Mr. Garrow to Mr. Benton.

ROCHESTER, *December 21, 1837.*

DEAR SIR: I arrived here this evening at nine o'clock; sent for Gen. Gould and some others of this place. There is much excitement here; forty soldiers marching the streets of Rochester to-day under drum and fife; two pieces of cannon went off this morning; and three-fourths of the people here, I learn, are encouraging and promoting the thing; and seven-eighths of the people at Buffalo and all along the lines are taking strong interest in the cause of the patriots; many furnishing arms, and large quantities of provisions contributed and forwarded to them, and volunteers continually going on. I do believe that it is indispensable that you come on immediately to Buffalo. Very little can be done with processes.

I am yours,

N. GARROW.

N. S. BENTON, Esq.

P. S. I shall appoint a deputy here in the morning, and go on to Buffalo to-morrow.

Mr. Gould to Mr. Benton.

COLLECTOR'S OFFICE, ROCHESTER,

December 21, 1837.

SIR: I enclose you a hand-bill, such as are being posted up in our city to-day. I am not yet able to give you names to issue writs for. I am told many persons have already gone to Navy island to join the patriots there, to-day, before eight, and that more are expected to go, and that a great effort is to be made here. I would recommend that you come here with the marshal; there will be plenty of business in this section and west. As the patriots of Canada back out, our citizens seem to come forward; so that the first battle will be, so far as I can judge, between citizens of our own State and those of Upper Canada. This ought not so to be: the results of such a state of things may be disastrous, indeed, to our interests as a nation, and to our honor.

In haste, yours truly,

J. GOULD, *Collector.*

N. S. BENTON, *U. S. Attorney.*

P. S. Please write as to the course I ought to pursue. I will preserve names and facts as far as I can.

Mohawk Courier—(Extra.)

LITTLE FALLS, NEW YORK,

December 16, 1837.

In consequence of difficulties which have hitherto existed in the arrest of offenders against the laws of the United States, and the increased expenses consequent thereon, it is deemed proper to make public such information in respect to this subject as may be useful, and will aid in promoting the arrest and conviction of offenders. An extract from the judiciary act of the United States is given; and it will be seen that authority to arrest, commit, or recognise offenders, is conferred upon the magistrates and officers of the different States. Forms of process and recognizances have been drawn up, which, it is supposed, will be found convenient and useful as a matter of reference. All charges, it will be seen, are to be paid to the officers by the United States. These bills should be made out and presented or sent to the marshal of the district, who will pay the same. The circuit court of this district, which has cognizance of violations of most of the criminal laws, sits at Albany on the second Tuesday of June and the third Tuesday of October in each year. Anson Little, Esq., the clerk of the court, keeps his office in the city of Utica; Nathaniel Garrow, Esq., the marshal of the district, resides at Auburn. Gentlemen to whom more than one of these sheets may be sent are respectfully requested to hand the same to the officers and magistrates in their vicinity who have authority to act in criminal cases under the laws of the United States. And it is also desired that all arrests and complaints be immediately notified to the district attorney.

N. S. BENTON,

*United States Attorney.**Extract from the Judiciary act passed September 24, 1786.*

Sec. 33. That for any crime or offence against the United States, the offender may, by any justice or judge of the United States, or by any justice of the peace or other magistrate of any of the United States, where he may be found, agreeably to the usual mode of process against offenders in each State, and at the expense of the United States, be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States as by this act has cognizance of the offence. And copies of the process shall be returned as speedily as may be into the clerk's office of such court, together with the cognizances of the witnesses for their appearance to testify in the case; which recognizances the magistrate before whom the examination shall be may require, on pain of imprisonment.

And upon all arrests in criminal cases, bail shall be admitted, except where the punishment may be death; in which case, it shall not be admitted but by the supreme or circuit court, or by a justice of the supreme court, or a judge of the district court, who shall exercise their discretion therein, regarding the nature and circumstance of the offence, and of the evidence, and the usage of the case.

Form of warrant to arrest.

UNITED STATES OF AMERICA,
Northern District of New York, and county of — —. } ss.

To the marshal of the northern district of New York, and the sheriff or any constable of the said county of — —.

Whereas A B, of — —, in the said county and district, hath this day made complaint upon oath before me, E M, one of the justices of the peace in and for the said county of — —, that C D, &c.

(Here set out the nature of the offence, stating, as nearly as may be, the time and place of committing the offence, and the name of the offender.)

In pursuance of and by authority of the statutes of the United States of America in such case made and provided, you are hereby commanded and required forthwith to apprehend him, the said C D, and to bring him before me, to answer unto the matters contained in the said complaint and information, and to be further dealt with according to law. Herein fail not. Given under my hand and seal the — day of — —, in the year of our Lord one thousand eight hundred and — —.

Form of a recognizance.

UNITED STATES OF AMERICA, } ss.
Northern District of New York.

Be it remembered, that on the — day of — —, in the year of our Lord one thousand eight hundred and — —, A B, of — — in said district, laborer, C D, of — — carpenter, and E F, of — — saddler, both in said district, personally came and appeared before me, I F, esquire, one of the justices assigned to keep the peace in and for the county of — —, in said northern district of New York, and severally acknowledged themselves to owe to the United States of America, to wit: the said A B, the sum of — dollars, and the said C D and E F, each the sum of — dollars, separately, of current money of the said United States of America, to be respectively made and levied of their several goods and chattels, lands and tenements, to the use of the said United States of America, if the said A B shall fail in performing the condition underwritten.

The condition of the recognizance is such, that if the abovebounden A B shall personally appear at the next circuit court of the United States of America, to be holden at the city of Albany, in and for the northern district of New York, in the second circuit, then and there to answer to an indictment to be preferred against him on behalf of the said United States of America, for (here state the nature of the charge and complaint,) and to do and receive what shall, by the said court, be then and there enjoined on him, and shall not depart the said court without leave, then the above recognizance to be void; otherwise to remain in full force.

Taken and acknowledged before me, — — — —.

Condition of a recognizance to give evidence.

(The form of the recognizance itself may be as above, varying it so as to leave out the sureties, except when the officer may deem it proper to require sureties.)

The condition of the above recognizance is such, that if the above bounden P R shall personally appear at the next circuit court of the United States of America, to be holden at the city of Albany, in and for the northern district of New York, in the second circuit, and then and there give such evidence as he knoweth, upon a bill of indictment to be exhibited on behalf of the United States of America, to the grand jury of the said district, against C D, late of _____ in said district, laborer, for _____,

(Here state the nature of the complaint.)

and in case said bill be found a true bill, then if the said P R shall then and there give evidence to the jurors that shall pass on the trial of the said indictment, and not depart thence without leave of the court, then this recognizance to be void; otherwise to remain in full force and effect.

Taken and acknowledged before me, _____.

Form of a mittimus.

UNITED STATES OF AMERICA,
Northern District of New York, and county of _____. } ss.

To the marshal of the said district, and to the sheriff and any constable of the said county, and to the keeper of the common jail in said county:

Under and pursuant to the statutes of the United States of America in such case made and provided, you are hereby charged and commanded that you forthwith carry and deliver C D, this day brought before me, A D, esquire, one of the justices of the peace in and for the said county, by _____, and charged upon the oath of S T, with (here state the offence:) and you, the said keeper, are hereby required to receive the said C D into your custody in the said jail, and him there safely keep until he be thence delivered by due course of law.

Given under my hand, &c. _____.

Mr. Forsyth to Governor Jenison.

DEPARTMENT OF STATE,

Washington, December 27, 1837.

SIR: I have the honor to acknowledge the receipt of your letter of the 16th instant, and to communicate to you, by direction of the President, his satisfaction at the promptness with which you came forward, in your official character, to prevent a violation within the limits of the State of Vermont, of the laws of the United States for preserving our neutral relations, which, it was feared, might be infringed from want of a proper consideration of the consequences, during the excitement produced on the frontier by the disturbances in Canada. It is hoped that you will transmit to the Department whatever important information

upon the subject you may at any time receive, accompanied by such observations as may suggest themselves to your own mind, and as you may deem likely to be useful to the General Government. In the existing state of things, it is not thought that the presence of troops of the United States can be necessary for the protection of our citizens along the line, or for quieting any reasonable apprehension; but, if the course of events should be such as to render it expedient, a sufficient detachment will be furnished for the purpose.

I have the honor to be, &c.

JOHN FORSYTH.

To his Excellency S. H. JENISON,
Governor of Vermont.

Mr. Forsyth to Mr. Kellogg.

DEPARTMENT OF STATE,

Washington, December 29, 1837.

SIR: I have to acknowledge the receipt of your letter of the 20th instant, in relation to the excitement in the district bordering on the Canadian frontier. It has been laid before the President, and an extract from it was published in the *Globe* of last evening.

I am, sir, your obedient servant,

JOHN FORSYTH.

DANIEL KELLOGG, Esq.,
United States Attorney, Rockingham, Vermont.

Mr. Woodbury to Mr. Forsyth.

TREASURY DEPARTMENT, *January 5, 1838.*

SIR: I have the honor to transmit to you copies of letters addressed yesterday to the collectors of the customs at Erie and Buffalo, and to the commander of the revenue cutter *Erie*.

I am, very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

Hon. JOHN FORSYTH,
Secretary of State.

Mr. Barker to Mr. Woodbury.—(Extract.)

COLLECTOR'S OFFICE, *Buffalo, December 30, 1837.*

At this time there is no communication between us and Canada; no boats are running on the Niagara. I have this day sent the President an extra from the *Buffalo Journal*, in relation to the affair of the steamboat *Caroline*. It occurred in the Niagara district. Mr. Scoville will, no doubt,

give you particulars. Our city is in great alarm. The whole frontier is in motion, and God knows where it will end. An express has been sent to Governor Marcy to call out the militia.

The district attorney and marshal are now in Rochester, endeavoring to discharge their duty. Such is the exasperated state of feeling, that *I very much fear the laws cannot be enforced without great loss of life*. All shall be done on my part, as an officer of the Government, and as acting mayor of this city, to preserve and sustain the laws.

Respectfully, your obedient servant,

PIERRE A. BARKER, *Collector*.

HON. LEVI WOODBURY,
Secretary of the Treasury.

Mr. Woodbury to Captain Dobbin.

TREASURY DEPARTMENT, *January 4, 1838.*

SIR: In consequence of the existing state of affairs in the Canadas, it is deemed proper that the utmost vigilance should be observed in the due execution of the laws, and the most effectual measures taken to suppress any illegal or improper interference on the part of our citizens in the affairs of the neighboring people. Accordingly, the President has directed that the revenue cutter under your command be placed under the control of the collector at Buffalo, and that she be employed in aiding the authorities of the Government in maintaining the laws, and enforcing the obligations thereby imposed on citizens of the United States. You are, therefore, directed to proceed, if the state of the water will permit, with all practicable despatch, with the vessel, to that port, and report your arrival to the collector of the customs, who will instruct you in the measures necessary to be taken to suppress all and every attempt to violate the laws, and whose orders in this respect you will obey.

I am, very respectfully, your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

DANIEL DOBBIN, Esq.
Commanding U. S. Revenue Cutter Erie.

Mr. Woodbury to the Collector of Customs, Erie.

TREASURY DEPARTMENT, *January 4, 1838.*

SIR: Enclosed you will find an order addressed to the officer in command of the revenue cutter Erie, directing him to proceed with that vessel to Buffalo, for the purpose of aiding the authorities of the Government in maintaining and enforcing a due observance of the laws, and the obligations thereby imposed on citizens of the United States. I have to request that you will deliver the same to Captain Dobbin.

I am, respectfully, sir, your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

To the Collector of the Customs, Erie, Pa.

Mr. Woodbury to Mr. Barker.

TREASURY DEPARTMENT, *January 4, 1838.*

SIR : I deem it proper again to call your especial attention to the subject referred to in my circular of the 19th ultimo, and to urge upon you the necessity of exercising due vigilance and exertion to aid the other officers of the United States in detecting and prosecuting violators of the laws, in the particulars therein referred to.

It is represented that vessels and boats are engaged within the limits of your district, in carrying arms, ammunition, and military supplies to the Canadian side of the lines, for the use of the forces arrayed against the British Government. You will take measures to seize any vessel or carriage of any kind which may be engaged in such transactions; and also have the proper proceedings instituted against all individuals having charge or connexion therewith. In any case of difficulty, you may consult with the United States district attorney, and be governed by his advice.

The commander of the cutter Erie has been ordered to proceed with said vessel to Buffalo, (if the ice will not prevent it,) to aid you in enforcing the laws. You will therefore be pleased to employ this vessel and crew, as emergencies may suggest; giving such instructions to the commander, from time to time, as you may deem necessary to accomplish the objects before stated.

I am, very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

PIERRE A. BARKER, Esq.

Collector of the Customs, Buffalo, N. Y.

Mr. Forsyth to Mr. Benton.

DEPARTMENT OF STATE,

Washington, January 5, 1838.

SIR : Your letter of the 26th ultimo, with the enclosures, has been received. If you shall not have gone to Buffalo when this communication reaches you, the President directs that you repair to that place forthwith, and that you remain there, using your utmost exertions to bring to punishment all violators of the laws for preserving the neutrality of the United States, until the occasion for your presence shall cease. By referring to the collector, you will find he has received additional instructions to afford you important aid in the execution of your duties and those of the marshal.

I am, sir, your obedient servant,

JOHN FORSYTH.

TO NATHANIEL S. BENTON, Esq.

District Attorney U. S. Northern District of New York.

Mr. Woodbury to Mr. Forsyth.

TREASURY DEPARTMENT, *January 6, 1838.*

SIR: I have the honor to transmit to you a copy of the instructions forwarded yesterday to S. Scoville, Esq., collector of the customs for the district of Niagara.

I am, very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

HON. JOHN FORSYTH,
Secretary of State.

TREASURY DEPARTMENT, *January 5, 1838.*

SIR: I deem it proper again to call your especial attention to the subject referred to in my circular of the 19th ultimo, (a copy of which was sent you,) and to urge upon you the necessity of exercising due vigilance, and exertion, in connexion with other United States officers, in suppressing any attempted violations of the laws in the particulars alluded to in said circular.

It is represented that boats and vessels are engaged within the limits of your district in carrying arms, ammunition, and military supplies to the Canadian side of the lines, for the use of the forces arrayed against the British Government in Canada.

You will take prompt measures for the seizure of boats, vessels, or carriages of any kind which may be engaged in such transactions: and also have the proper proceedings instituted against all individuals having charge or connexion therewith. Should you have any difficulty how to act in any case, you may consult with the United States district attorney, and be governed by his advice.

The cutter Erie has been ordered to Buffalo, to aid, under the direction of the collector of that district, in enforcing the law, and suppressing any hostile aggressions towards the authorities of Canada, which may be attempted on the part of citizens or inhabitants of the United States.

Should you require the services of the cutter, her boats, or crew, you will be pleased to advise and consult with Mr. Barker, the collector, and use them in such a manner as you may mutually deem expedient and proper, provided the ice will permit.

I am, very respectfully,

Your obedient servant,

LEVI WOODBURY,

Secretary of the Treasury.

SEYMOUR SCOVILLE, Esq.

Collector of the Customs,

District of Niagara, Lewiston, N. Y.

CAPTURE OF THE MEXICAN BRIG URREA.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

In answer to a resolution of the House of Representatives of the 5th instant, respecting the capture and restoration of the Mexican brig of war Urrea.

JANUARY 8, 1838.

Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States :

In answer to the resolution of the House of Representatives of the 5th instant, respecting the capture and restoration of the Mexican brig of war the General Urrea, I transmit reports from the Secretaries of State and the Navy.

M. VAN BUREN.

WASHINGTON, January 8, 1838.

DEPARTMENT OF STATE,

Washington, January 8, 1838.

The Secretary of State, to whom was referred a resolution of the House of Representatives of the 5th instant, requesting the President to communicate to that House, as far as the same might be consistent with the public interest, all the information in either of the Departments respecting the capture, by the United States sloop of war Natchez, of the Mexican vessel of war the General Urrea, and its subsequent restoration by the United States to the Mexican Government, has the honor to lay before the President all the information in this Department on that subject.

Respectfully submitted.

JOHN FORSYTH.

To the PRESIDENT of the United States.

List.

Mr. D. W. Smith to Mr. Forsyth,	10th April, 1837,	extract.	
The same to the same,	22d	"	" with enclou- sures.
The same to the same,	29th	"	" with enclou- sures.
Mr. Jones to Mr. Forsyth,	5th May,	"	"
Mr. D. W. Smith to Mr. Forsyth,	1st July,	"	"

[EXTRACT.]

Consul of the United States at Matamoras to Mr. Forsyth.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, April 10, 1837.

I seize the present opportunity to inform you that the Mexican man of war General Urrea is now lying off this port, with two American schooners, as prizes ; one of which, I understand, is the *Champion*, from New Orleans, laden with a cargo of assorted merchandise, bound for Texas, among which, it is alleged, are some contraband articles of war, such as swords, pistols, &c. There are eight or ten passengers on board, and it is said that despatches for our minister in Texas have been taken out of the vessel and probably forwarded to the city of Mexico. I have been unable, as yet, to learn the name of the other prize ; it is expected, however, that both of them will be brought into port the first favorable opportunity, for adjudication, when I will endeavor to ascertain all the particulars connected with the transaction ; and if it should appear that either of the vessels in question has been illegally captured, or any person on board improperly treated, the fact shall be immediately communicated to the Department.

[EXTRACTS.]

Consul of the United States at Matamoras to Mr. Forsyth.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, April 22, 1837.

SIR : In my last despatch I had the honor to inform you of the capture of two American schooners, the *Champion* and *Louisiana*, by the Mexican squadron off the coast of Texas, and of their arrival in the waters of this port, in possession of the Mexican man of war General Urrea. It appears that these vessels were regularly cleared at the port of New Orleans, laden with articles of lawful commerce, and bound to Matagorda, Texas ; and that on the 4th instant they were captured on the high seas, by virtue of a decree of the Mexican Government, dated the 9th

of January, 1836, closing the ports of Texas, in direct violation of the treaty of the 5th of April, 1831, and of the neutral rights of the United States.

The United States sloop of war *Natchez* having recaptured the *Louisiana* off this port, an officer from that ship was sent on shore for the purpose of demanding the papers of the *Louisiana*, and asking permission to communicate with the *Champion*, in the harbor, whose passengers and crew were confined as prisoners on board. This reasonable request was peremptorily refused by the authorities. On the 16th inst. the commander of the *Natchez* captured the *Urrea*, outside the bar, for having been found in possession of the two American vessels in question, and for having forcibly taken out of them various articles of merchandise, on the high seas, and imprisoned and otherwise ill-treated the passengers and mariners on board, contrary to the law of nations. This occurrence produced great excitement. A fire was instantly opened on the *Natchez*, from the port, and from the Mexican man of war *General Bravo*, lying in the harbor, which was afterwards directed to the unarmed boats of the *Natchez*, as they approached the shore with a flag of truce, to land, as is supposed, part of the crew of the *Urrea*. All American vessels in port were immediately seized and detained by order of *General Bravo*: two of which, the *Mechanic* and *Leonidas*, had been regularly cleared at this custom-house, with valuable cargoes on board, and were then ready for sea.

P. S. Since writing the foregoing, I have received a paper from New Orleans, containing an official notification of the Texian ports being in a state of blockade, which is herewith transmitted. But as this document was published in New Orleans, as I am informed, on the very day that the *Champion* and *Louisiana* were captured, and subsequent to the sailing of the *Julius Cæsar* from that port, and as neither of these vessels was ever warned off by the blockading force, it cannot, therefore, legalize their capture: nor does it appear, by the correspondence of *General Bravo*, that he or the commander of the Mexican squadron had any knowledge of such publication having been made in the United States.

Mr. Breedlove to Mr. Kidd.

CUSTOM-HOUSE, NEW ORLEANS,

April 4, 1837.

SIR: The enclosed documents were received this morning, by the arrival of the schooner *Ringleader*, from Tampico; please give publicity to their contents.

J. W. BREEDLOVE, *Collector.*

MR. WILLIAM KIDD,
Merchants' Exchange.

Mr. Jones to Mr. Breedlove.

CONSULATE OF THE UNITED STATES OF AMERICA,
Mexico, March 10, 1837.

SIR: I have the honor to transmit you herewith a copy of a communication from his excellency the acting Minister of Foreign Affairs under date of the 7th instant, with a copy of a decree of this Government, declaring the Texian ports in a state of blockade.

I have the honor to be, with great respect, your obedient servant,
W. D. JONES.

J. W. BREEDLOVE, Esq.,
Collector of the Port of New Orleans.

To the Consul of the United States in Mexico.

GOVERNMENT PALACE, March 7, 1837.

I have the honor to inform you that I have received from the War Department a notice, dated the 3d instant, informing me that the nation having a naval force sufficient to blockade the Texian ports, the Government will put in force the decree on that subject, which has been communicated to the American chargé d'affaires on the 1st February of last year, (1836,) and a copy of which I now send you.

Respectfully, &c.

JOSE MARIA ORTIZ MONASTERIO.

Decreto de 30 de Diciembre de 1835.

1° Los extranjeros que desembarcaren en algun puerto de la republica, ó penetraren por tierra en ella, armados, y con objeto de atacar nuestro territorio, seran tratados y castigados como piratas, en consideracion á que no pertenecen á nacion con la que esta en guerra la republica, y á que no militan bajo de bandera conocida.

2°. En los mismos terminos seran tratados y castigados los extranjeros que desembarcaren en algun puerto ó introdugeren por tierra armas y municiones, siendo por algun punto sublevado contra el Gobierno de la nacion, y con objeto provado de poner estos utiles de guerra en manos de los enemigos de ella.

MEXICO, Diciembre 30 de 1835.

TORNEL.

[TRANSLATION.]

Decree of December 30, 1835.

ART. 1. Foreigners who may land in any port of the republic, or may penetrate into it by land, armed, and with intention to attack our

territories, shall be treated and punished as pirates, considering that they do not belong to a nation with which the republic is at war, and that they do not fight under any recognised flag.

ART. 2. In the same manner shall be treated and chastised foreigners who may land in any port, or may introduce, by land, arms and munitions of war, intended for any place in insurrection against the Government of the nation, and with the intent proved to place these arms and munitions of war in the hands of its enemies.

MEXICO, December 30, 1835.

TORNEL.

[DUPLICATE COPY.]

Decree of the 9th of January, 1836.

[EXTRACT.]

1st. The ports of Matagorda, La Baca, San Luis, Galvezton, Brazoria, Harrisburg, Goliad, Anahuac, Copano, and all the other harbors on the coast of Texas, from longitude 94° 50 to 101° 10 west of London, shall be closed to foreign commerce and to the coasting trade.

2d. This order shall have its effect from thirty days after its publication in this city, for vessels coming from foreign ports within the Mexican Gulf, and from ninety days for those without.

3d. This disposition shall continue in force until further orders from the Government.

MEXICO, January 9, 1836.

TORNEL.

Mr. Smith to General Bravo.

CONSULATE OF THE UNITED STATES OF AMERICA,

Ma'amoras, April 12, 1837.

SIR: In consequence of a communication which I have just received from William Mervine, Esq., master commandant of the United States sloop of war Natchez, I have to request that your excellency will do me the honor of transmitting to me a copy of the declaration of blockade, under which the American schooners Champion and Louisiana have been captured by the Mexican squadron.

I have the honor to be, &c.

D. W. SMITH.

To His Excellency General NICHOLAS BRAVO,

Commander in Chief, &c.

General Bravo to Mr. Smith.

CUARTEL GENERAL EN MATAMORAS,
Abril 12 de 1837.

En consecuencia de la comunicacion de V. de esta fecha, le incluyo copia autorizada del decreto que cerró los puertos y surgideros de la parte sublevada de Tejas al comercio extranjero, y al de escala y cabotage, y que oportunamente se publico en el diario oficial del Gobierno de la republica, y se comunicó á quienes tocaba su conocimiento.

Con este motivo, ofrezco á V. las seguridades de mi consideracion.
NICOLAS BRAVO.

Sr. DON DANIEL W. SMITH,
Consul de los Estados Unidos de America.

[TRANSLATION.]

HEADQUARTERS AT MATAMORAS,
April 12, 1837.

SIR: In consequence of your communication of this day's date, I enclose to you an authenticated copy of the decree by which the ports and anchorages of the part of Texas in insurrection are closed to foreign trade, as well as to coasting vessels and those seeking supplies; which decree was published at the time in the official gazette of the republic, and was communicated to those whom it concerned.

In doing which, I offer to you, sir, the assurance of my consideration.
NICOLAS BRAVO.

To DANIEL W. SMITH,
Consul of the United States of America.

EJERCITO DEL NORTE.

GENERAL-EN-GEFE: Por la Secretaría de Guerra y Marina, se me ha hecho la comunicacion siguiente:

"El escelentísimo Señor Presidente interino de la republica Mejicana, en virtud de las facultades que le conceden los articulos 1 y 2 del Congreso General de 22 de Febrero del 1832, para cerrar los puertos ocupados por fuerzas que no obedezcan al Gobierno, se ha servido disponer lo siguiente:

"Primero. Quedan cerrados para el comercio extranjero, de escala y cabotage, los puertos de Matagorda, La Vaca, San Luis, Galvezton, Brazoria, Harrisburg, Goliad, Anahuac, Copano, y todos los demas surgideros que se hallan en las costas de Tejas, desde la longitud de 94° 50' hasta la de 101° 10' oeste de Londres.

"Segundo. Esta disposicion tendra su efecto despues de treinta dias de la publicacion en esta ciudad para los buques procedentes de los puertos extranjeros del seno Mejicano, y de noventa dias para los que se hallan fuera de él.

"Tercero. Los efectos de esta providencia durarán hasta nueva orden del Gobierno."

Y para que tenga su debido cumplimiento, lo comunico á V. S. de orden de S. E. el Presidente interino, para su publicacion y demas fines consiguientes.

Dios y Libertad. Mejico, Enero 9 de 1836.

TORNEL.

Señor GOBERNADOR DEL DISTRITO.

Y para que llegue á noticia de todos, mando se publique por bando en esta capital y en la comprension del distrito, fijandose en los parages acostumbrados, y circulandose á quienes toque cuidar de su observancia.

Dado en Mejico, á 11 de Febrero de 1836.

JOSE GOMEZ DE LA CORTINA,
CATALINO BARRACO, *Secretario*.

Copiado del Diario oficial del Gobierno de Mejico de la misma fecha. Cuartel General en Matamoras, Abril 12 de 1837.

PEDRO F. DEL CASTILLO,
Secretario de S. E. el General-en-gefe.

[TRANSLATION.]

ARMY OF THE NORTH.

GENERAL-IN-CHIEF: I have received the following communication, through the Department of War and Marine:

"His excellency, the acting President of the Mexican republic, in virtue of the faculties conferred on him by the 1st and 2d articles of the decree of the General Congress of the 22d of February, 1832, for closing the ports occupied by forces which do not obey the Government, has been pleased to order as follows:

"ART. 1. The ports of Matagorda, La Vaca, St. Louis, Galvezton, Brazoria, Harrisburg, Goliad, Anahuac, Copano, and all other anchorages on the coasts of Texas, between 94 degrees 50 minutes, and 101 degrees 10 minutes, longitude west from London, are closed to foreign trade, as well as to coasting vessels and those seeking supplies.

"ART. 2. This order will take effect from thirty days after its publication in this city, with regard to all vessels coming from foreign ports within the Gulf of Mexico; and from ninety days after said publication, with regard to vessels coming from ports out of that Gulf.

"ART. 3. This order will continue in force until the Government shall have given farther directions on the subject."

And, to the intent that it may be duly executed, I communicate it to you, by command of his excellency the acting President, that you may publish it, and take the other measures accordingly.

God and Liberty. Mexico, January 9, 1836.

TORNEL.

To the GOVERNOR OF THE DISTRICT.

And, in order that it may be known to all, I command that it be published, by proclamation, in this capital and within the district, posted up at the usual places, and circulated to those who are concerned in its being observed.

Given at Mexico, on the 11th of February, 1836.

JOSE GOMEZ DE LA CORTINA,
CATALINO BARRACO, *Secretary*.

Copied from the *Diario del Gobierno* of Mexico of the same date.
Headquarters at Matamoras, April 12, 1837.

PEDRO F. DEL CASTILLO,
Secretary of His Excellency the General-in-chief.

General Bravo to Mr. Smith.

CUARTEL GENERAL EN MATAMORAS,
Abril 13 de 1836-[7.]

El comandante de la corbeta de guerra de los Estados Unidos de America la Natchez desde el 9 del actual que se presentó frente de la barra del Brazo de Santiago, ha cometido tales irregularidades, que han comprometido altamente las relaciones amistosas entre ambas republicas, y ofendido de una manera muy marcada la independencia de esta, y el respeto debido á su pabellon. Hallandose detenida por la escuadra Mexicana, y marinada por un oficial y tropa de ella, la goleta Louisiana, fondeada ademas al costado de un bergantin de guerra nacional, y sus papeles en poder del juez competente para declarar el grado de su culpabilidad; la ha hecho mudar de fondeadero, la ha amadrinado, ha tenido una especie de arresto al oficial y tropa que se hallaban á su bordo, ha despreciado las manifestaciones y protestas de los oficiales del bergantin Urrea, ha permitido que al trasbordarse la tropa Mejicana se le insultase, é intentase el asesinato de un soldado, y finalmente se llevase á la Louisiana sin saber el destino que le ha dado.

Es claro pues que con todos estos actos ha hecho un insulto al pabellon de una nacion amiga, y ha atropellado sus leyes, á sus jueces, y á los oficiales y tropa que estan al servicio de aquella. Por lo mismo, y no pudiendo ser indiferente á estos ultrages, cuando mi deber como Mexicano y como General-en-gefe de este ejercito me imponen éi de evitarlos, espero que se servirá V. informarme con qué ordenes obra el comandante de la espresada corbeta, para mi Gobierno, y sin perjuicio de las medidas que he dictado, para que dichos atentados no se repitan.

Acepte V., con este motivo, las seguridades de mi consideracion.

NICOLAS BRAVO.

Señor Don DANIEL W. SMITH,
Consul de los Estados Unidos de America.

[TRANSLATION.]

HEADQUARTERS AT MATAMORAS,

April 13, 1837.

The commander of the United States sloop of war Natchez appeared off the bar of the Brazo de Santiago on the 9th instant, and has, since that time, committed such irregularities as to endanger seriously the friendly relations between the two republics, and has, in the most pointed manner, offended the independence of Mexico, as well as the respect due to its flag. The schooner Louisiana, having been detained by the Mexican squadron, and manned by an officer and public force, lying, moreover, alongside of a brig of war, and her papers being in the hands of a judge competent to declare the degree of her culpability, the said commander obliged her to change her position; made her fast to his own ship; placed, in a manner, under arrest the officer and force on board of her; set at naught the representations and protests of the officers of the brig Urrea; allowed the Mexican force, while coming on board, to be insulted and an attempt to be made to assassinate a soldier; and, finally, allowed the Louisiana to be taken away, no one knows whither.

It is clear that, by all these proceedings, an insult has been inflicted on the flag of a friendly nation, and its laws, its judges, its officers, and the force under their command, have all been treated with contempt. As I cannot remain indifferent to these outrages, while my duty as a Mexican and as General-in-chief of this army commands me to prevent them, I hope that you will have the kindness to state to me by what orders the commander of the said sloop of war acts, for the information of my Government, independently of the measures which I have ordered, to the effect that these acts of violence may not be repeated.

Accept, sir, the assurances of my consideration.

NICOLAS BRAVO.

To DANIEL W. SMITH,
Consul of the United States of America.

General Bravo to Mr. Smith.

CUARTEL GENERAL EN MATAMORAS,

April 16 de 1837.

En lugar de la esplicacion que pedi á V. desde 13 del actual, sobre las ordenes con qué obra el comandante de la corbeta de los Estados Unidos de America, solo se han recibido nuevos insultos por parte del este oficial. Ha hecho el comandante del bergantin Urrea una intimacion que ataca la libertad de este buque, y el respeto que ecsige su pabellon; y al capitan del puerto le ha indicado que si no se le permite la comunicacion con la goleta Champion, detendrá y hará responsable el Urrea, que esta bajo sus fuegos.

No se puede dar un mayor abuso de la fuerza, ni manifestar mas ostensiblemente las ideas hostiles que animan á este oficial que con su conducta ataca todos los derechos de México, y compromete, de una

manera grave y de fatal trascendencia, las relaciones entre ambas naciones.

No obstante todos estos hechos, yo no puedo persuadirme aunque obré con instrucciones de su Gobierno; pero como los insultos se repiten, y la satisfaccion que ellas demandan no se recibe, me hé visto precisado por el honor de la republica á tomar aquellas medidas que en propria defensa de derechos ultrajados usan en su caso las naciones.

La ecsistencia al frente de este puerto de la corbeta Natchez, la conducta de su comandante, y el aparato hostil y lar amenazas de que ya ha hecho uso, no pueden considerarse sino como una agresion. En consecuencia he ordenado que mientras las cosas subsistan de este modo, se interrumpa toda clase de comunicacion, directa ó indirecta, con dicho buque; y dado instrucciones á la tropa que guarnece la costa para que se lleve adelante esta disposicion, en la inteligencia de que si el anuncio que se ha hecho por dicho comandante se lleva á efecto con el bergantin Urrea, ó con cualquiera otro de los buques de la escuadra Mejicana, me veré precisado á pesar mio á tomar otras medidas de justa represalia, y que son la consecuencia de una agresion injusta, provocada por el comandante de la corbeta de guerra Nachez, y de que desde luego el solo será responsable.

Lo comunico á V., como prueba de la deferencia que me merecen los intereses de su nacion, y del respeto con que, como autoridad Méjicana, continuo considerando las estipulaciones ecsistentes entre ella y Méjico, que no será ciertamente el primero que las infrinja.

Espero que V. instruirá de estas medidas á los ciudadanos de los Estados Unidos residentes en esta ciudad, su puerto, y inmediaciones, á fin de que obrando con la prudencia y circunspeccion que ecsigen las circunstancias en que nos ha puesto el comandante de la Natchez, eviten las medidas que podrian dictarse.

Con sentimientos de consideracion, me repito de V. obediente servidor,
NICOLAS BRAVO.

Señor Don DANIEL W. SMITH,
Consul de los Estados Unidos de America.

[TRANSLATION.]

HEADQUARTERS AT MATAMORAS,

April 16, 1837.

SIR: In place of the explanation which I requested you, on the 13th instant, to give me respecting the orders by which the commander of the United States sloop of war Natchez acts, nothing but additional insults have been received from that officer. He has given to the commander of the national brig Urrea an intimation w ich attacks the liberty of that vessel, and the respect due to her flag and he has declared to the captain of the port that, unless communications are allowed with the schooner Champion, he will seize and render responsible the Urrea, which lies under his guns. There could be no clearer abuse of power, nor a clearer manifestation of the hostile views of that officer, than his

conduct in thus attacking the rights of Mexico, and so compromising the relations between the two countries, in a manner so serious and so likely to produce fatal consequences. Notwithstanding these proceedings, I cannot persuade myself that he acts under instructions from his Government; but, as the insults are repeated, and the satisfaction demanded for them has not been received, I find myself obliged, for the honor of the republic, to take the measures which all nations employ in the defence of their rights when outraged. The presence of the sloop of war Natchez off this, the conduct of her commander, and the hostile attitude assumed by him, and his measures, cannot be considered otherwise than as an aggression. I have, in consequence, ordered that, while things are in their present state, all communications whatever, direct or indirect, with that vessel, shall be suspended; and I have given instructions to the troops in garrison, on the coast, to carry this order into effect, with the understanding that, if the threat of the said commander be put into execution with regard to the brig Urrea, or any other vessel of the Mexican squadron, I shall be under the necessity, although with great regret, of taking other measures in just retaliation, and in consequence of an unjust aggression, provoked by the commander of the sloop of war Natchez, and for which he will forthwith become alone responsible.

I make this communication to you, sir, as a proof of the deference which I pay to the interests of your nation, and of the respect which, as a Mexican authority, I bear to the existing stipulations between it and Mexico; and I certainly will not be the first to infringe those stipulations.

I likewise hope that you will make these measures known to the citizens of the United States residing in this city, its port, and neighborhood, in order that they may act with the prudence and circumspection required by the circumstances in which the commander of the Natchez has placed us, and may thus avoid the measures which may be adopted.

With sentiments of consideration, I again subscribe myself your obedient servant,

NICOLAS BRAVO.

To DANIEL W. SMITH,
Consul of the United States of America.

Mr. Smith to General Bravo.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, April 16, 1837.

SIR: Having been prevented, by indisposition, from answering sooner the several official letters of your excellency, dated the 12th, 13th, and 16th instant, respecting the recent capture of two American vessels by the Mexican squadron, and the recapture of one of them by the United States sloop of war Natchez, &c., I have now the pleasure of replying to each of them, in the order in which they have been communicated.

The United States of America having formally recognised the inde-

pendence of the republic of Texas, the decree of the Mexican Government, dated the 9th of January, 1836, closing the ports of Texas, is therefore inoperative, so far as it affects the interest of American citizens or the navigation of their vessels. As Mexico and Texas have become two independent belligerent Powers, they are both bound, by the law of nations, to respect the rights of neutrals; and your excellency will perceive, by reference to the 16th, 17th, 18th, 19th, 20th, 21st, and 22d articles of the treaty of the 5th of April, 1831, that it is lawful for citizens of the United States to sail with their vessels, with all manner of security, without any distinction being made who are the owners of the merchandise laden thereon, from any port to the places of those who now are, or may hereafter be, at enmity with the Mexican republic; that free ships shall give freedom to goods; and that this liberty of commerce and navigation shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband of war, and which are particularly enumerated in the 18th article of the treaty above referred to; that all articles of contraband thus classified, which may be found in an American vessel bound for the enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo, and the vessel, that the owners may dispose of them as they see proper; that no American vessel shall be detained on the high seas on account of having on board articles of contraband, whenever those interested in the cargo will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great, and of so large a bulk, that they cannot be received on board the capturing vessel without great inconvenience; that a neutral vessel bound to a port actually besieged or blockaded by a belligerent force capable of preventing her entry, may be turned away from such port, but shall not be detained; nor shall any part of her cargo, if not contraband of war, be confiscated, unless, after warning of such blockade or investment, from the commanding officer of the blockading force, she shall again attempt to enter the port; but she shall be permitted to go to any other port or place she may think proper; and that no extortion, violence, or ill-treatment, shall be allowed in the visiting and examination of neutral vessels on the high seas.

The American schooners *Champion* and *Louisiana*, bound to *Matagorda*, and laden with articles of lawful commerce, were illegally captured, on the 4th instant, by the Mexican fleet off the coast of Texas, and various articles of merchandise were forcibly taken out of them by the captor, on the high seas, in open violation of the law of nations. The *Champion* was brought into this port on the 8th instant, and dismantled, by order of the local authorities. The passengers and crew have been confined as prisoners on board ever since her arrival, and have been compelled to send on shore to purchase the necessary provisions for their subsistence, notwithstanding there are ample stores on board belonging to the vessel. It appears that the *Louisiana* was recaptured off this port on the 9th instant by the United States sloop of war *Natchez*; and, as the circumstances connected with this transaction form the subject of your excellency's second note, I beg leave to refer to the enclosed communication of the commander of the *Natchez* for the desired information relative to the occurrence. I deem it my duty, however, to remark that your excellency has been wrongly informed respecting the

alleged attempt at assassination of one of the prize crew of the Louisiana.

The fact is, the pistol of an American sailor went off accidentally while on board the Louisiana; for which carelessness he was severely punished by order of the commander of the Natchez.

I am pained to learn, by your excellency's third and last note, that orders have already been given to prevent any further communication with the United States sloop of war Natchez at this port; and that, in consequence of a supposed or intended aggression of this ship, your excellency has thought proper to threaten reprisals on the persons and property of American citizens living under the protection of the Mexican Government. As the power to declare a non-intercourse, as well as to make reprisals, is exclusively confided to the Supreme Government at Mexico, I therefore protest in the most solemn manner against the extraordinary proceedings of your excellency, and shall take the earliest opportunity to apprise my Government of the same.

I have the honor to be, &c.

D. W. SMITH.

To His Excellency General NICOLAS BRAVO,
Commander-in-chief, &c.

Mr. Smith to General Bravo.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, April 18, 1837.

SIR: I have just been informed that the American schooners Mechanic and Leonidas were yesterday dismantled in this port, and prohibited from proceeding on their voyage, by order of your excellency; and as these vessels are under the protection of the flag of the United States, and have been regularly cleared at this custom-house according to law, with valuable cargoes on board, it becomes my duty to demand of your excellency the cause of their detention.

I have the honor to be, &c.

D. W. SMITH.

To his Excellency General NICOLAS BRAVO,
Commander-in-chief, &c.

General Bravo to Mr. Smith.

CUARTEL GENERAL EN MATAMORAS,

Abril 18 de 1837.

Rotas las hostilidades por la corbeta de guerra de los Estados Unidos la Natchez, y habiendo hecho prisionero, á viva fuerza, y en plena paz, al bergantin nacional General Urrea, he creído de mi deber repeler tan injusta agresión; y entretanto se da á la republica una satisfaccion cum-

plida, y cual la ecsigen su dignidad y su honor, altamente ofendidos, he dispuesto que se suspenda la salida de este puerto de los buques Americanos que se hallan en él, habiendo dado cuenta de esta medida al Supremo Gobierno.

Tambien he dispuesto, que ninguna persona vaya á los puntos de la costa, ni venga de ellos, sin causa motivada, y pasaporte del comandante militar de esta plaza y de las fuerzas de este ejercito, que cubren aquellos.

Lo comunico á V. para su conocimiento y él de los ciudadanos de su nacion, y en respuesta á su nota de esta fecha.

NICOLAS BRAVO.

Señor Don DANIEL W. SMITH,
Consul de los Estados Unidos de America.

[TRANSLATION.]

HEADQUARTERS AT MATAMORAS,

April 18, 1837.

The United States sloop of war Natchez having commenced hostilities, and captured by force of arms, at a period of entire peace, the national brig General Urrea, I have considered it my duty to repel this unjust aggression ; and, until the republic shall have received complete satisfaction for the grievous offence thus committed against its dignity and honor, I have ordered that the American vessels now in this port should not leave it. I have informed the Supreme Government of this measure, and have likewise ordered that no person should go to nor come from the points on the coast, without specified reasons therefor, and without a passport from the military commandant of this place and of the forces of this army covering said points.

This I communicate to you, sir, for your information, and for that of the citizens of your nation, as well as in reply to your note of this day.

NICOLAS BRAVO.

To DANIEL W. SMITH,
Consul of the United States of America.

General Bravo to Mr. Smith.

CUARTEL GENERAL EN MATAMORAS,

Abril 18 de 1837.

La contestacion que V. ha dado á mis notas de 12 y 13 del actual no se me ha dirigido hasta ayer á no elio dia, mucho despues de haber consumado el capitan de la corbeta Natchez de los Estados Unidos de America los atentados sobre que yo pedia esplicaciones en aquellas, con él de apresar á viva fuerza al bergantin de guerra Mexicano Urrea, que se

hallaba fondeado á su costado, bajo la salvaguardia de la amistad de los Estados Unidos, obligandolo ademas á arriar el pabellon nacional á cañonazos, marinandolo, y conduciendolo prisionero; y habiendo ademas dirigido su fuego á la barra, donde se hallaba otro buque de guerra de esta republica; dicha goleta y la bateria del Brazo se vieron obligados á repeler esta inesperada agresion, este ultrage al pabellon Méjicano.

Rotas pues de este modo inaudito las hostilidades, en plena paz, por un buque de guerra de los Estados Unidos, ha sido indispensable, conforme á los mas ecsactos principios del derecho de las naciones, tomar algunas medidas para prevenir nuevas agresiones, interin el Supremo Gobierno, á quien se ha dado cuenta con ellas, y con los sucesos que las han motivado, resuelve lo que estime conveniente. Tambien he elevada á su conocimiento la referida comunicacion de V., y la que me incluye del comandante de la Natchez; y como ellas por una fatalidad han seguido, y no precedido, como parecia regular, á las injurias que se han hecho á la republica, nada creo deber contestar á ellas. La cuestion es de alta politica, y en el punto á que ha llegado por la conducta de dicho buque, toca resolverla á las dos Gobiernos. Entretanto el mio me dirige sus ordenes, mis deberes son sostener el honor de la nacion, y repeler las agresiones que contra él se intenten. Mi responsabilidad al frente de este ejercito se veria comprometido si las tolerase.

Es cuanto tengo que decir á V. á consecuencia de su nota citada al reiterarle las protestas de mi consideracion.

NICOLAS BRAVO.

Señor Don DANIEL W. SMITH,
Consul de los Estados Unidos de America.

[TRANSLATION.]

HEADQUARTERS AT MATAMORAS,

April 18, 1837.

SIR: The reply which you made to my notes of the 12th and 13th instant was not addressed to me until yesterday at noon, some time after the captain of the United States sloop of war Natchez completed the outrages upon the subject of which I asked for explanation in the said notes, by forcibly seizing the Mexican brig of war General Urrea, which was lying at anchor beside him, under the safeguard of friendship with the United States, obliging her by the force of his guns to haul down the national flag, manning her, and carrying her away as a prize; in addition to which, he fired over the bar, within which was another ship of war belonging to this republic, thereby obliging the said schooner and the battery at the Brazo to repel this unexpected aggression and outrage on the Mexican flag. Hostilities having been thus unexpectedly commenced, at a time of entire peace, by a ship of war of the United States, it has been indispensable for me, conformably to the most exact principles of national right, to adopt some measures to prevent further aggressions, until the Supreme Government, to which I have communicated those measures, as well as the occurrences which led to them,

should determine upon what may be most proper. I have also communicated to the Government your said letter, and the one accompanying it from the commander of the Natchez; and as these letters have unfortunately followed (not, as it would appear to have been proper, preceded) the injuries committed against the republic, I have no reply to make to them. The question is one of great political importance, and, as it has been placed by the conduct of the said sloop of war, must be discussed between the Governments. Until my own Government shall have sent me its orders, it will be my duty to maintain the honor of the nation and to repel the aggressions which may be aimed against it. My responsibility to this army would be endangered, should I submit to them.

I make this communication to you, sir, in consequence of your said note, and repeat to you at the same time the assurance of my consideration.

NICOLAS BRAVO.

To DANIEL W. SMITH,
Consul of the United States of America.

Mr. Smith to General Bravo.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, April 19, 1837.

SIR: In reply to the two communications of your excellency, dated the 18th instant, I have the honor to state that, as it is apparent by the acknowledged principles of international law that the American schooners *Champion* and *Louisiana* were illegally captured, under circumstances that required the immediate intervention of the commander of the United States sloop of war *Natchez*, I have been unable to discover in the conduct of that officer any act meriting the epithets by which your excellency has been pleased to characterize the transaction. On the contrary, I have been informed by eyewitnesses that the only gun fired outside the bar was a lee gun from the *General Urrea*, in token of surrender; and that as the unarmed boats of the *Natchez* approached the shore with a flag of truce, to land, as is supposed, the crew of the *Urrea*, they were fired into from the fort, and from the Mexican man of war *General Bravo*, lying in the harbor; and this is the only evidence that has come to my knowledge of the hostilities referred to by your excellency in justification of the embargo laid on all American vessels in port.

The forcible seizure and detention of the property of American citizens, engaged in a lawful commerce, under the guaranty of the protection of established laws, by the unauthorized order of your excellency, cannot fail to excite astonishment, and to produce measures of retaliation calculated to disturb, in a serious manner, the harmony and good understanding subsisting between the United States and Mexico. It is not pretended that the ports of Texas are actually blockaded; and as the paper interdiction under which the Mexican squadron is now acting is manifestly null and void, so far as it affects the citizens of the United States

or their vessels ; it can therefore be used only as a pretext for the seizure and confiscation of American property, and for the purpose of plunder and outrage, in violation of the neutral rights of the United States ; and all wrongs and detriments already suffered, or which may hereafter accrue, to the persons or property of American citizens, by reason of such arbitrary and unlawful proceedings, will be added to the account of injuries pending between the two nations, and for which Mexico must be responsible.

There are a number of American citizens in this city desirous of embarking for the United States, where their business requires their personal attention ; and as the order of your excellency seems to embrace American vessels only, I have to request your excellency to inform me whether the individuals in question would be permitted to leave the country in any other vessel.

I have the honor to be, &c.

D. W. SMITH.

To his Excellency General NICOLAS BRAVO,
Commander-in-chief, &c.

General Bravo to Mr. Smith.

[TRANSLATION.]

HEADQUARTERS, MATAMORAS,

April 21; 1837.

The American vessels the *Champion*, *Louisiana*, and *Julius Cæsar*, having been captured by the squadron of this republic, conformably, no doubt, to the orders and instructions of the Supreme Government, for the execution of which it will be responsible, have arrived at this port, and their papers have been placed at the disposition of the proper tribunal, for the declaration corresponding with its powers, which, in the system of the republic, are independent of all other authority.

This court and the other tribunals of the nation have always been open to the representations of the persons interested, and they have never failed, before judgment, to hear their claims and defence. When affairs have reached a point to interest the State, or affecting the friendly and mercantile relations between Mexico and friendly nations, the representatives of these nations have applied to the Supreme Government with their reclamations and protests. The rest depends on its high attributes.

Upon these principles, I have nothing to do with the vessels in question ; and I deem your demand useless, requiring the restitution of the schooner *Julius Cæsar*. She and her cargo are at the disposition of the competent judge, and the crew and passengers are to be tried by court-martial for the crime of rising upon the prize-crew, which they both committed at sea.

The other measures which I have adopted, as general-in-chief of this army, were required by a shameful attack upon the honor and the flag of

Mexico, in a time of perfect peace, by a vessel in the service of the United States. Of these measures I have given account to the Supreme Government, and I await its decision. Until I receive it, and while this grievance lasts, I think it to be my duty to change nothing.

I have the honor to say this to you in reply to your representation of yesterday, on the subject of the Julius Cæsar, and to that part of your note of the 19th instant which calls for it.

I tender you the assurances of my consideration.

NICOLAS BRAVO.

To Mr. DANIEL W. SMITH,
American Consul for this Port.

No. 121.

Mr. Smith to Mr. Forsyth.

CONSULATE OF THE UNITED STATES OF AMERICA,
Matamoras, April 29, 1837.

SIR: I transmit herewith an authenticated copy of the proceedings relating to the capture and condemnation of the American schooner *Champion* and cargo at this port, together with a copy of the manifest and list of passengers of said vessel.

By reference to these documents it will be seen that the *Champion* was regularly cleared at New Orleans for Matagorda, Texas; that a very small proportion of her cargo consists of contraband of war; that she was captured near Galvezton by the Mexican squadron, without having been previously warned off, as required by the 21st article of the treaty; and, finally, that the decision of the district judge is founded on two decrees of the Mexican Government, dated the 30th of December, 1835, and 9th of January, 1836, copies of which are herewith enclosed. The trial of this vessel and cargo was conducted in secret. All the proceedings are stamped upon the face of them with absurdity, and furnish ample evidence that vindictive feelings and a reckless disposition for plunder had considerable influence in precipitating a judgment unparalleled in the annals of litigation, and perhaps the most unjust that was ever pronounced against the persons and property of American citizens. The cargo of the *Champion* has been transported to this city, to be sold at public auction for the benefit of the captors. The master, crew, and passengers of this vessel, as well as those of the *Julius Cæsar*, are still confined in prison, and all communication with them expressly prohibited.

I have the honor to be, with great respect, sir, your obedient servant.
D. W. SMITH.

To the Honorable JOHN FORSYTH,
Secretary of State.

Testimonio de las principales diligencias de la causa criminal numero 93, sobre apresamiento de la goleta Americana Champion, que procede del puerto de Nueva Orleans, se dirigía por Matagorda á Tejas con efectos prohibidos y de contrabanda.

CONSULADO DE LOS E. U. DE AMERICA,

Matamoros, 26 de Abril de 1837.

Sõr: Como agente oficial del dueño de la goleta Americana Champion, pido á V. que facilite una copia autentica de todas las actuaciones judiciales relativas al buque y su cargamento, incluyendo la sentencia y condenacion.

Tengo el honor de ofrecirme, con todo respeto, de V. muy atento servidor,

D. W. SMITH.

Sõr. D. RAFAEL DELGADO,
Juez del Distrito de Matamoros.

MATAMOROS, *Abril 26 de 1837.*

Librese el testimonio que se pide en la anterior comunicacion, dandose principio con esta y el presente proveido; y contendrá ademas los dos oficios del sõr. comandante de la escuadra Don Francisco de P. Lopez, que han motivado la causa; el auto cabeza de proceso; el pedimento del promotor fiscal; y la sentencia. Concluido en forma se dirigirá con oficio separado al solicitante: asi lo proveo y firma, actuando con testigos de asistencia por falta de escribano en los terminos de la ley. Doy fe.

R. DELGADO.

De asistencia: JOSE GUZMAN,
De asistencia: ANTONIO CORDOVA.

DEPARTAMENTO Y ESCUADRA DEL MAR DEL NORTE.

El dia de ayer, sobre meridianos de Galvezton, he reconocido á la goleta Americana Champion, que procedente de Nueva Orleans siguió para el puerto de Matagorda, uno de los comprendidos en el bloqueo, conduciendo á su bordo para aquel destino fusiles, espadas, piedras de chispa, monturas, vestuarios, y algunos otros efectos de viveres y mercancías, segun se impondrá V. S. por el manifiesto de su cargamento y otro conocimiento que acompaño á V. S., con el registro ó patente de navegacion; y segun el acuerdo de la junta que convoqué al efecto, el indicado buque debe seguir al Braso de Santiago, que es el puerto mas inmediato, para que sea juzgado y sentenciado en el tiempo y terminos que provienen las leyes de la materia.'

Dios y libertad. En el mar, á bordo del bergantin Libertador, Abril 1 de 1837.

FRANCISCO DE P. LOPEZ.

Sõr. JUEZ del distrito de Nuevo Leon.

DEPARTAMENTO Y ESCUADRA DEL MAR DEL NORTE.

Con esta fecha, digo á Don Bartolome Grima, de ese comercio, lo que sigue:

“En junta celebrada en la escuadra hoy dia de la fecha, para nombrar en los puertos de Matamoras un agente que represente en todas sus partes el derecho de los oficiales, tripulaciones, y guarniciones de los buques de la escuadra de mi mando, con respecto á la goleta Americana Champion, que se envia á ese puerto por conducir armamento á los puertos bloqueados de Tejas, y lo mismo para cualquiera otro buque que, en lo sucesivo y por iguales causas, sea detenido y enviado á ese punto, sea V. el unico y legitimo representante de los referidos señores oficiales, y demas individuos mencionados; acompañándole á V. copia de la citada acta levantada por la junta, para que presentandose V. con ella al sör. juez de ese distrito, obreen todas sus partes los efectos que puedan convenir, segun se manifiesta en la precitada acta, y sele inserta á dicho sör. juez.”

Lo que pongo en el conocimiento de V. S., para su debida inteligencia y fines que sean consiguientes.

Dios y libertad. En la mar, á bordo del bergantin Libertador, Abril 2 de 1837.

FRANCISCO DE P. LOPEZ.

Sör. JUEZ del Distrito de los Departamentos
de Nuevo Leon y Tamaulipas.

EN MATAMOROS, 7 de Abril de 1837.

Yo, el juez del distrito de Nuevo Leon, por cuanto en el oficio anterior de fecha 1, del parte el sör. comandante de la escuadrilla Mejicana del mar del norte, Don Francisco de P. Lopez, de haber reconocido, sobre meridianos de Galvezton, á la goleta Americana Champion, que procedente de Nueva Orleans se dirigia para el puerto bloqueado de Matagorda, conduciendo á su bordo pertrechos de guerra, con algunos viveres y mercancías, como lo acreditan los documentos que acompañan, que son el manifesto del cargamento, un conocimiento, y el registro ó patente de la goleta; y que habiendo acordado la escuadra en junta celebrada al efecto que la espresada goleta fuese conducido á este puerto para ser juzgado y sentenciado, acordó al mismo tiempo nombrar un agente ó apoderado, que lo es Don Bartolome Grima, de este comercio, para que represente el derecho de los oficiales, tripulaciones, y guarniciones de los buques de la escuadra, segun se acredita en la acta de la junta que inserta en el anterior oficio de fecha 2: Mando, que los espresados tres documentos de la goleta se traduzcan del Ingles al Español por el interprete publico de esta ciudad, y se agreguen á esta causa para que con vista de ellos se practiquen las diligencias conducentes: que igualmente se agregue traducido el diario de navegacion de la misma goleta, desde el dia de su salida de Orleans hasta él en que fué reconocida y detenida por la escuadra Mejicana: y que con todos estos documentos se pase la causa al promotor fiscal, para que de toda preferencia, con la prontitud que exige el asunto, haga su pedimento, á fin de hacer la declaracion, de si es ó no, buena la presa de la enunciada goleta, y

efectos prohibidos que trajo á su bordo; reservandose para despues las declaraciones, con respecto á las personas del capitan, marineros, pasajeros, y de las mercancias no prohibidas, que se harán con presencia de los datos que ministren el informe y declaraciones que debe haber tomado el capitan del puerto al tiempo de fondear la goleta en cuestion. Asi por este auto, lo resuelvo, mando, y firmo, actuando con testigos de asistencia, por no haber escribano en los terminos de la ley. Doy fe.

R. DELGADO.

De asistencia : JOSE GUZMAN,
De asistencia : ANTONIO CORDOVA.

MATAMOROS, 17 de Abril de 1837.

Señor Juez del Distrito :

El promotor fiscal dice : Que todas las constancias de esta causa comprueban que el capitan de la goleta Americana Champion, no obstante saber, por hallarse muy de antemano declarada la clausura del puerto de Matagorda, se atrevió á cargar su buque con direccion á aquel punto, y que con poco respeto de las leyes del pais, y desprecio de las autoridades, no solo pretendió introducir efectos, algunos de ellos prohibidos, sino, lo que aun es mas criminal, armamento y municiones de guerra, con el escandaloso objeto de proteger y sostener la sublevacion de una parte del pueblo Mejicano, que, por una fatalidad de las circunstancias, ha osado rebelarse contra su legitimo Gobierno, intentando porcionarse audazmente de una vasta y rica parte de su territorio; y que habiendola aprehendido por la escuadra Mejicana, la ha puesto á disposicion de V., para que proceda conforme á las leyes : á cuyo fin se ha servido V. pasarme dichas constancias, para que con el caracter fiscal de que me hallo investido, promuevalo conveniente á los intereses de la hacienda publica.

Notoria mi ignorancia, como que no soy profesor del derecho ; lo es aun mayor en esta materia, en que entiendo que desgraciadamente no existen reglas fijas que demarquen el preciso y justo termino de este negocio ; pero juzgando por analogia, y guiado por los principios inmutables de la justicia á que las leyes deben su accion vital, pido á V. se sirva declarar como buena y legitima presa la aprehension hecha de la espresada goleta, así el cargamento como el buque ; y que su valor total, previa designacion de peritos, y venta publica, se aplique á los individuos de la espresada armada que concurrieron al apresamiento, sin mas deducccion que los derechos que correspondan á la hacienda publica y costas municipales.

El Supremo Gobierno, por su decreto de 12 de Enero del año proximo pasado, se sirvió declarar cerrado, no solo para el comercio extranjero, sino aun para él de escala y cabotage, el puerto de Matagorda ; el cual, como comprehendido en los pueblos que han negado la obediencia al mismo Gobierno, se halla ademas en estado de bloqueo. Por consiguiente, cualquiera que atropelle estos obstaculos y los desprecios, tambien atropella y desprecia sus derechos, compromete sus bienes, y se sujeta al riesgo que no debe suponer remoto de su existencia. En este caso, se halla el capitan de la goleta Champion, que no solo ha intentado hacer su comercio por puertos cerrados, sino de efectos que las leyes tienen prohibidos, y aun mas con el doble y criminal objeto de socorrer y ayu-

dar á los sublevados contra el Gobierno, conducía armas y municiones de guerra. No cabe excusa en crimen de tan alta gerarchia, como que es nada menos de lesa nacion; y si tiene alguna que se justifique y vindique ante la autoridad militar, á quien corresponde juzgarlo y aplicarlo el rigor de las leyes que atrevidamente ha hollado; y á este fin pido á V., si lo tiene á bien, y lo juzga arreglado á justicia, se sirva pasar testimonio de lo actuado al exmo. sör. general-en-gefe del ejercito del norte, para que con arreglo á lo que dispone la circular del Supremo Gobierno, expedida por la Secretaría de Guerra en 30 de Diciembre de 1835; supuesto los conatos evidentes manifestados de la introduccion del armamento y municiones, se sirva proceder conforme á justicia.

Nuestras actuales circunstancias nos precisan ya á hacer acatar nuestras leyes, y á que sean respetadas por todas las naciones del globo, castigando severamente á cuantos se atrevan á tratarnos con el desprecio y befa, á que estan acostumbrados los comerciantes del Norte, fiados en la garantía de la bandera de su nacion respetada aun mas de lo justo y racional por la nuestra; y en que su Gobierno en fuerza, segun se ha dicho de las instituciones, no puede impedir la libertad con que á ciencia y paciencia de las autoridades supremas, han proporcionado insolentemente á las colonias sublevadas de cuantos recursos han necesitado, y á los cuales se debe esclusivamente la existencia de esos enemigos que han ocasionado enormes gastos, incalculables quebrantos, y perdidas irreparables, y que ocasionará, si se continuan guardando las mismas consideraciones, la destruccion y ruina de la patria.

Con hechos publicos es necesario y conveniente hacer saber á los miserables colonos, á sus simpaticos protectores, al Gobierno de los Estados Unidos del Norte, y al mundo entero, que si, con ataque del derecho de gentes universalmente reconocido, y á pesar de los tratados de amistad y alianza que tiene celebrados al gabinete de Washington, tiene estas atadas las manos para impedir á sus subditos la proteccion decidida que han otorgada á favor de los enemigos del gabinete de Mejico, esta las tiene demasiado sueltas, robustas, y firmes, para no permitir que la nacion Mejicana sea por mas tiempo el juguete del engaño, de la hipocrisia, y de la falsa politica.

M. M. VILLASEÑOR.

EN MATAMOROS, 17 de Abril de 1837.

Yo, el juez de esta causa, vista la primera comunicacion que ha dado mérito á ella del sör. comandante de la escuadra Mejicana, Don Francisco de P. Lopez, relativa al reconocimiento y detencion de la goleta Americana *Champion* sobre meridianos de Galvezton, la que procedente de Nueva Orleans se dirigia por Matagorda á Tejas, conduciendo pertrechos de guerra, y algunas mercancías: vista la segunda comunicacion del mismo sör. comandante, en que inserta la acta estendida por la escuadra en junta que celebró para nombrar de apoderado á Don Bartolome Grima, de este comercio, con el fin de que en la presenta causa, y en las demas que puedan ocurrir en que tenga interes, la armada nacional del mar del norte, represente los derechos de sus oficiales, tripulaciones, y guarniciones: vistos los documentos que se acompañaron del propio buque, que obran de folios cinco á nueve, y com-

prueban efectivamente que la *Champion* se dirigía por puerto bloqueado y cerrado, como lo es referido de Matagorda, según la orden del Supremo Gobierno fecha 9 de Enero de 1836, á Tejas; y que conducía para enemigos de la republica Mejicana efectos prohibidos: vistos los demas datos y constancias que se han debido tener presentes y obran en la causa, y oido el pedimento del promotor fiscal, hallo definitivamente, juzgando: Que debía declarar, como declaro, por de buena presa la enunciada goleta *Champion*, con todos sus menesteres y cargamento que trae á su bordo; y igualmente declaro por piratas al capitan, tripulacion, y pasajeros de la misma goleta; no comprendiendose estos ultimos en dicha declaracion, si justifican plenamente que no han contribuido, directa ni indirectamente, á la pirateria, ni son enemigos del Gobierno de Mejico; todo de conformidad con el artículo 2° de la suprema orden de 30 de Diciembre de 1835, comunicado de 4 de Enero de 1836, y los artículos 28 y 34 de la ley 4, lib. 6°, tit. 8°, de la *Novis Recop.*

En consecuencia, mando: Que baja la custodia y seguridades convenientes se transporte todo el cargamento á los almacenes de esta aduana maritima, para su aforo y venta publica almoneda, en los terminos que previene la ley; que la goleta se asegure, recogiendo su velamen y jarcia, hasta que el Supremo Gobierno resuelva si se procede á su venta, ó la necesita para el servicio de la nacion, según lo tiene ordenado; y que con igual seguridad sean conducidos el capitan y demas personas que venian á bordo de la goleta, hasta ponerlos á disposicion del exmo. sôr. general-en-gefe del ejercito, Don Nicolas Bravo, para que los mande juzgar, con arreglo al decreto de 29 de Octubre de 1835.

Al efecto, se transcribirá esta sentencia al espresado exmo. sr. general-en-gefe, á la aduana maritima; se elevará al conocimiento del Supremo Gobierno, para su resolucion respecto de la venta de la goleta, notificandose al promotor fiscal y al apoderado de la escuadra.

Asi lo resuelvo, mando, y firmo, actuando con testigos de asistencia, por falta de escribano según la ley. Doy fe.

R. DELGADO.

De asistencia: JOSE GUZMAN.

De asistencia: ANTONIO CORDOVA.

Ent. reng.—y se agreguen á esta causa—municipales—vale.

Concuerda el precedente testimonio con las diligencias de la causa original que obra en el archivo de este juzgado.

Lo certifico en Matamoros á 27 de Abril de 1837. Actuando con testigos de asistencia, por falta de escribano según la ley. Doy fe.

R. DELGADO.

De asistencia: JOSE GUZMAN,

De asistencia: ANTONIO CORDOVA.

[TRANSLATION.]

Evidence of the principal judicial acts of the criminal cause No. 93, case of the capture of the American schooner Champion, which sailed from the port of New Orleans, bound for Matagorda, in Texas, with prohibited articles and contraband of war.

CONSULATE OF THE U. S. OF AMERICA,

April 26, 1837.

SIR : As authorized agent of the owner of the American schooner Champion, I request you to furnish me with an authentic copy of all the judicial acts relative to that vessel and her cargo, including the sentence and condemnation.

I have the honor to be, with great respect, your obedient servant,
D. W. SMITH.

To DON RAFAEL DELGADO,
Judge of the District of Matamoras.

MATAMORAS, April 26, 1837.

Let the copy of the judicial acts, requested by the preceding note, be furnished, commencing with the note itself, and the present decree.

Let it embrace also the two official letters of the commandant of the squadron, Don Francisco de P. Lopez, which gave rise to the suit ; the act establishing the suit ; the opinion of the promoter fiscal, (district attorney,) and the final sentence, in due form, shall be transmitted to the applicant, with a separate official note.

I so sign and decree, using witnesses of assistance, in the absence of the escribano required by the terms of the law. I give faith.

R. DELGADO.

JOSE GUZMAN, *Assistant.*ANTONIO CORDOVA, *Assistant.*

DEPARTMENT AND SQUADRON OF THE NORTHERN SEA.

Yesterday, on the meridian of Galvezton, I fell in with the American schooner Champion, which had sailed from New Orleans, and was bound for the port of Matagorda, one of those comprehended in the blockade, having on board, for that destination, guns, swords, flints, horse-harness, clothing, and other effects, provisions, and merchandise, as you will be assured from the manifest of the cargo and bills of lading, which I herewith send you, together with the register or patent of navigation. According to the opinion of the council convened for that object, the aforesaid vessel should proceed to Brazo de Santiago, which is the nearest port, to be tried and sentenced, in the time and terms required by the laws on this subject.

God and liberty. At sea, on board of the brig Libertador, April 1, 1837.
FRANCISCO DE P. LOPEZ.

To the JUDGE of the District of New Leon.

DEPARTMENT AND SQUADRON OF THE NORTHERN SEA.

With this date I say to Don Bartolomé Grima, merchant of Matamoras, what follows :

"The council assembled to-day on board of the squadron, to appoint an agent in the ports of Matamoras, who should fully represent the rights of the officers, crew, and soldiers, of the ships of the squadron under my command, in relation to the American schooner *Champion*, which has been sent into Matamoras for having on board munitions for the blockaded ports of Texas, as well as in relation to any other vessel which, for the future, and for like causes, shall be captured and sent into the ports of Matamoras ; you were appointed sole and lawful agent of the abovementioned officers and the other named persons. A copy of the said act of appointment by the council has been transmitted to you, that, with it, you may present yourself to the judge of the district, and act accordingly as may be proper. A copy of the appointment has been sent to the judge. I inform you of this, that the measures proper in the case may be adopted.

God and liberty. At sea, on board of the brig *Libertador*, April 2, 1837.

FRANCISCO DE P. LOPEZ.

To the JUDGE of the District of the Department
of New Leon and Tamaulipas.

MATAMORAS, April 7, 1837.

Whereas, in the former despatch of the 1st instant from the commander of the Mexican squadron of the northern sea, Don Francisco de P. Lopez, he reports having fallen in with the American schooner *Champion* on the meridian of Galvezton ; that this vessel had sailed from New Orleans for the blockaded port of Matagorda, having on board munitions of war, with some provisions and merchandise, as is shown by the accompanying documents, which are a manifest of the cargo, bills of lading, and the register of the schooner : and whereas the council, assembled on board of the squadron for this object, determined that the *Champion* should be sent to this port to be tried and sentenced ; and the council, at the same time, having appointed Don Bartolomé Grima, merchant of this place, agent or attorney to represent the rights of the officers, crew, and soldiers, of the vessels of the squadron, as is shown by the act of the council, inserted in the preceding official letter of the 2d instant :

I, therefore, judge of the district of New Leon, order that the aforesaid three documents of the schooner be translated from English into Spanish, by the public interpreter of this place, and be made part of the present proceedings, that, with them, the proper judicial acts may be had. The log-book of the vessel shall also be translated, from the day of her departure from New Orleans until that of her capture by the Mexican squadron. I order that, with all these documents, this case be submitted to the promoter fiscal, (district attorney,) that he may institute his suit with all the expedition demanded by the subject, so as to have the declaration, yes or no, that the schooner is good prize, together with the prohibited articles of her cargo. The declarations in regard to the persons of the captain, sailors, passengers, and non-prohibited merchandise,

will be deferred, to be made with the aid of the information and declarations which ought to have been taken by the captain of the port at the time the schooner was brought to anchor.

Thus, by this act, I resolve, order, and sign, using witnesses of assistance, in the absence of the escribano, required by the terms of the law. I give faith.

R. DELGADO.

JOSE GUZMAN,
ANTONIO CORDOVA, } *Assistants.*

MATAMORAS, April 17, 1837.

To the JUDGE of the District :

The prosecuting solicitor of the treasury says :

That all the facts in this case prove that the captain of the schooner *Champion*, notwithstanding he knew, long before, of the blockade of the port of Matagorda, ventured, nevertheless, to load his vessel for that port ; and, with little respect for the laws of the country, and in defiance of its authorities, he not only undertook to introduce articles, some of them prohibited, but, what is still more criminal, to introduce munitions of war, with the daring object of protecting and aiding the rebellion of a part of the Mexican people, which, by a fatality of circumstances, dared to revolt against their legitimate Government, with the view of possessing themselves of a large and rich portion of the Mexican territory. This vessel, having been captured by the Mexican squadron, has been placed by it at your disposition, to be proceeded with according to the laws ; for which purpose you have been pleased to send me the aforesaid facts, that, with the fiscal commission which I hold, I might proceed as the interests of the public treasury demand.

My ignorance is evident, since I am not a professor of law ; and it is so much the greater in this case, that I understand there exist, unfortunately, no fixed rules to mark the just and precise end of this business. But judging from analogy, and guided by the immutable principles of justice, to which the laws owe their vital action, I request you will be pleased to declare the capture of the said schooner to be good and legitimate prizes, both the vessel and her cargo ; their total value, determined after public sale, and the appointment for this object of persons duly qualified, will be applied for the benefit of the officers and crew of the squadron which captured the vessel ; with the sole deductions of the dues belonging to the public treasury, and the municipal and coast dues.

The Supreme Government, by its decree of the 12th of January of the last year, declared to be shut, not only for foreign commerce, but also for the coasting trade, the port of Matagorda, which, as one of those comprehended among the people who have refused obedience to the Mexican Government, finds itself, moreover, in a state of blockade.

Whosoever, therefore, disregards this blockade, disregards also the rights of Mexico, compromises his property, and subjects himself to the risks which ought not to be supposed to be distant from the violation of those rights. In such case, the captain of the schooner *Champion* finds

himself. He has not only attempted to trade with ports that were closed, but also with articles positively prohibited by the laws; and, with the double and criminal object of aiding and assisting the revolted against their Government, was carrying to them arms and munitions of war. There can be no excuse for a crime of such magnitude, since it is nothing less than one of *læsa natio*; and if there be any, let it be justified and established before the military authority, to whom it belongs to judge it, and apply the rigor of the laws, which have been daringly insulted. With this view, if you should deem it proper and conformable with justice, I beg you will transmit evidence of these judicial proceedings to his excellency the General-in-chief of the army of the north, that he may proceed to justice in accordance with the rule established by the circular of the Supreme Government, issued by the Department of War on the 30th of October, 1835, supposing the attempts evidently to have been made to introduce munitions of war.

Our actual circumstances oblige us to make our laws respected by all the nations of the globe, and to punish severely whoever may dare to treat us with contempt, as the merchants of the north are accustomed to do, relying on the guaranty of their national flag, which has been more respected by ours than was proper. They have also relied on this: that their Government cannot by force, as has been said of their institutions, control the liberty with which, under the knowledge and tolerance of the federal authorities, they have insolently furnished to the rebellious colonists whatever resources they required. To these merchants are entirely owing these enemies, who have occasioned enormous expenses, incalculable losses and damages, and which they will still occasion, if they continue to aim at the same objects—the ruin and destruction of the country.

By public acts it is necessary and proper to make known to the miserable colonists, to their sympathizing protectors, to the Government of the United States of America, and to the whole world, that if, in violation of the laws of nations universally recognised, and notwithstanding the treaty of friendship and alliance between the United States and Mexico, the cabinet of Washington has its hands tied, and cannot prevent its subjects from giving aid and protection to the enemies of the cabinet of Mexico, this republic has its arms loose, robust, and strong enough to prevent the Mexican nation from being any longer the sport of deceit, hypocrisy, and false policy.

M. M. VILLASEÑOR.

MATAMORAS, April 17, 1837.

I, the judge of this cause, having seen the first communication which gave rise to it from Don Francisco de P. Lopez, commander of the Mexican squadron, relative to the search and detention of the American schooner *Champion*, about the meridian of Galvezton, which had sailed from New Orleans, and was bound to Matagorda, in Texas, having on board munitions of war and some merchandise:

And having seen the second communication from the same commander, in which is enclosed the formal act of the council assembled on board of

the squadron, appointing Don Bartolomé Grima, merchant of this place, the attorney of the national squadron in this cause, and in others in which they may have interest, to represent the rights of the officers, crew, and soldiers: Having seen also the other documents accompanying these communications, from the vessel itself, which are seen from page 5 to 9, and prove distinctly that the *Champion* was sailing for a port that was closed and blockaded, as is the abovementioned Matagorda, according to the decree of the Supreme Government, dated the 9th of January, 1836, and that this vessel had on board, for the enemies of the Mexican republic, prohibited articles: Having also seen the other facts and proofs, that were necessary to be presented, and to bear on the cause; and the prosecution of the *promotor fiscal* being also heard, I definitively decree:

That the aforesaid schooner *Champion* should be declared, as I now do declare, to be good prize, together with all her equipments and cargo. I also declare to be pirates, the captain, crew, and passengers, of the said schooner. These last are not to be included in this declaration, if they shall fully establish that they have not, directly or indirectly, contributed to piracy, and that they are not enemies of the Mexican republic, in conformity with the supreme decree of October 30, 1835, which was communicated the 4th of January, 1836; and with the 28th and 34th articles of 4th law, book 6, title 8, of the *Novis Recop.*

I consequently order: That, with the necessary securities and protection, the whole of the cargo be transported to the warehouses of the maritime custom-house, for valuation and sale at public auction, as provided by law; that the vessel be secured, and stripped of her sails and rigging, until the Supreme Government shall decide whether she shall be sold, or reserved for the use of the nation, as has been ordered; that the captain and other persons who were on board of the schooner be conducted with equal security, and placed at the disposition of his excellency the General-in-chief of the army, Don Nicolas Bravo, that they may be sent for trial, conformably with the decree of the 29th October, 1835.

For this object, this sentence shall be transmitted to the General-in-chief, to the maritime custom-house; and it will be submitted to the Supreme Government, for its decision respecting the sale of the schooner, which will be made known to the *promotor fiscal* and to the agent of the squadron.

I thus decree, order, and sign, using witnesses of assistance in the place of the *escribano* required by law. I give faith.

R. DELGADO.

JOSE GUZMAN, *Assistant.*

ANTONIO CORDOVA, *Assistant.*

The preceding evidence agrees with the original acts and proceedings in this cause, which are deposited in the archives of this tribunal.

I certify it, in Matamoras, this 27th of April, 1837; witnesses of assistance being used, in the absence of an *escribano*, according to law.

I give faith.

R. DELGADO.

JOSE GUEZMAN, *Assistant.*

ANTONIO CORDOVA, *Assistant.*

[EXTRACT.]

United States Consul at Mexico to Mr. Forsyth.

CONSULATE OF THE UNITED STATES OF AMERICA,
Mexico, May 5, 1837.

SIR: The capture of the American vessels *Louisiana* and *Champion*, by the Mexican brig of war *General Urrea*, was announced to this Government, by express, on the 24th ultimo, which produced much exultation. The next day the news of the taking of the *Louisiana* and *General Urrea* out of the harbor of the *Brasos de Santiago*, by the United States sloop of war *Natchez*, was announced by another express, which produced great excitement in the capital, and hostile measures were immediately spoken of, and the expulsion of the American citizens from the country; the subject was submitted to Congress, and discussed with great warmth, in secret session.

[EXTRACT.]

Consul of the United States at Matamoras to Mr. Forsyth.

CONSULATE OF THE UNITED STATES OF AMERICA,
Matamoras, July 1, 1837.

The United States ship *Vandalia* arrived off this port on the 27th ultimo, accompanied by the revenue cutters *Jefferson* and *Dexter*, and the Mexican brig *General Urrea*; the last of which, I understand, has been delivered to the Mexican authorities, in obedience to an order of our Government.

NAVY DEPARTMENT,
January 8, 1838.

To the PRESIDENT of the United States.

SIR: Agreeably to your directions, I have the honor to transmit the proceedings of a court of inquiry, convened at Pensacola in August last, to examine into all the facts and circumstances connected with the capture of the Mexican brigantine *General Urrea*, by the United States sloop of war *Natchez*; also, an extract of a letter from Commodore *Dallas*, dated the 15th of July last; and the official report made by Commander *Thomas Crabb*, of the United States sloop of war *Vandalia*, the officer charged with the delivery of the brigantine *Urrea* to the Mexican authorities.

These papers contain the information required by the resolution of the House of Representatives of the 5th instant, so far as relates to this Department, respecting the capture, "by the United States sloop of war *Natchez*, of the Mexican vessel of war the *General Urrea*, and its subsequent restoration by the United States to the Mexican Government."

I am, very respectfully, your obedient servant,

MAHLON DICKERSON.

Minutes of the proceedings of the court of inquiry "into all the facts and circumstances connected with the capture of the Mexican brigantine General Urrea, by Commander William Mervine, of the United States navy, commanding the United States sloop of war Natchez," convened on the 25th day of August, in the year one thousand eight hundred and thirty-seven, in pursuance and by virtue of the following precept of the honorable Mahlon Dickerson, Secretary of the Navy of the United States, viz :

To Captain ALEXANDER JAMES DALLAS, of the navy of the United States.

By virtue of the authority contained in the act of Congress approved the 23d April, A. D. 1800, for the better government of the navy of the United States, a naval court of inquiry is hereby ordered to convene as soon hereafter as practicable, and at such place, or on board such vessel of the United States squadron on the West India station as the presiding officer of the court may designate, for the purpose of inquiring and examining into all the facts and circumstances connected with the capture of the Mexican brigantine General Urrea, by Commander William Mervine, of the United States navy, commanding the United States sloop of war Natchez, and to report the result of said inquiry and examination to the Secretary of the Navy.

The court to be composed of the following-named officers, viz :

Captain ALEXANDER J. DALLAS,
 Captain WILLIAM C. BOLTON,
 Commander MERVINE P. MIX.

The court is hereby authorized to appoint a suitable person to act as judge advocate.

MAHLON DICKERSON.

NAVY DEPARTMENT, July 8, 1837.

THOMAS M. BLOUNT was appointed judge advocate, as appears by the following warrant, viz :

By virtue of authority in me vested by the honorable the Secretary of the Navy, you are hereby appointed judge advocate of a naval court of inquiry which will convene on board of the United States frigate Constellation on Friday next, 25th instant, at 11 o'clock A. M., for the purpose of inquiring and examining into all the facts and circumstances connected with the capture of the Mexican brigantine General Urrea, by Commander William Mervine, of the United States navy, commanding the United States sloop of war Natchez.

Given under my hand, on board the United States frigate Constellation, lying in the harbor of Pensacola, this 24th day of August, 1837.

A. J. DALLAS,

Appointed presiding officer of the court.

THOMAS M. BLOUNT, Esquire, Pensacola.

The aforesaid members of the court and the judge advocate having assembled on board the United States frigate Constellation, lying in the harbor of Pensacola, on the 25th day of August, 1837 aforesaid, at 11 o'clock A. M., when and where the foregoing orders were read : where-

upon, the oath prescribed by the act of Congress, for members of courts of inquiry, was administered by the judge advocate to the members of the court; and then the president of the court administered the oath prescribed by the statute for persons officiating as judge advocate in courts of inquiry to the said Thomas M. Blount; and the court was organized as follows, viz :

Captain ALEXANDER J. DALLAS, *President*.

Captain WILLIAM C. BOLTON, } *Members*.

Commander MERVINE P. MIX, }

THOMAS M. BLOUNT, *Judge Advocate*.

Lieutenant ELISHA PECK, of the United States navy, called and sworn.

Witness is the first lieutenant of the United States sloop of war Natchez, and testifies as follows :

On the 9th April, 1837, the United States sloop of war Natchez, under the command of Commander William Mervine, arrived off the Brasos de Santiago; on approaching the anchorage, discovered two merchant schooners and a brig of war at anchor outside the bar; a boat was despatched from the Natchez to the Mexican brig of war, with letters to be conveyed on shore—to whom I do not know. At this time the quartermaster reported to Captain Mervine that one of the schooners, which proved to be the schooner Louisiana, of New Orleans, had displayed a *withe* in her main rigging. Captain Mervine despatched a boat alongside the schooner Louisiana, to ascertain the cause of displaying the *withe*; on the return of the boat, the officer in charge reported that the schooner was a prize to the Mexican brig of war, and was then under her guns. Captain Mervine then directed me to board the schooner and the brig of war, and ascertain the cause of her capture. The captain of the schooner Louisiana informed me that he had been captured by the Mexican squadron, off Matagorda. I then boarded the brig of war, and was informed, first, by her commander, that the Louisiana had been captured for having contraband articles on board; afterwards he told me that she had been captured for violating the blockade of Texas. I inquired of him if the vessel had been warned off previous to her capture; he replied: "No." I then inquired of him if he could show me a copy of the declaration of the blockade of the ports of Texas. He said he did not have a copy on board. I then inquired if he had the schooner's papers. He informed me that they had been conveyed to the captain of the port. Captain Mervine directed me to say to the commander of the brig of war, that he should recapture the Louisiana, unless he could be satisfied that she had been captured according to the laws of nations. I then returned to the Natchez, and made my report to Captain Mervine. Captain Mervine then directed me to arm one of our boats, and prepare for the recapture of the Louisiana. Lieutenant Moor was directed to take charge of the armed boat, and take possession of the Louisiana, whilst I was directed to take charge of an unarmed boat and board the Mexican brig of war, and say to her commander that Captain Mervine intended to take possession of the Louisiana, requesting him, at the same time, to remove his prize-crew; which he refused to do. I then left the brig of war, and repaired on board the Louisiana, and found her in possession of Lieutenant Moor. On the 10th April I was directed by Captain Mervine to board the Louisiana, examine her log-book, papers, and

the nature of her cargo. I did so, and found, by her log-book, that she had been regularly cleared from the port of New Orleans, and that her roll of equipage corresponded with her number of men on board, (having mustered them to ascertain.) I then examined her cargo, and found it to agree with her log-book. It consisted of flour, tobacco, segars, snuff, whiskey, and iron hollow-ware, consisting of pots and kettles. After performing this duty, I returned and reported the facts to Captain Mervine. On the evening of the 10th we removed our prize crew from the Louisiana, got under way in company with her, and stood to the northward and eastward; during the night we parted company with the Louisiana, and returned to our anchorage off the Brasos. A boat was then despatched on shore by orders of Captain Mervine, with a communication to the authorities; the nature of the communication I do not know. On the 16th April, in the morning, the Mexican brig of war General Urrea loosed her sails, as was supposed, with the intention of proceeding to sea. Captain Mervine despatched an officer on board the General Urrea to say to her commander, if he attempted to get under way until he, Captain Mervine, heard from the authorities on shore, he would fire into him. The officer returned, with a reply from the commander of the brig General Urrea, "that if he was disposed to go to sea, he would go;" or words to that amount. At 2 o'clock P. M. Captain Mervine said to me that he intended to take possession of the General Urrea, and directed me to make the necessary preparations; which we did, by going to quarters, casting loose our guns, tripping our anchor, and backing astern abreast of the General Urrea. Captain Mervine then directed Passed Midshipman McDougal to board the General Urrea, and demand her surrender to the United States sloop of war Natchez. On the return of the boat, the officer reported to Captain Mervine that the commander of the General Urrea said that he would haul down his flag so soon as he (Captain Mervine) would fire a shot near him. Captain Mervine directed me to fire a shot ahead and across the brig General Urrea, which was done; the shot passing *one-third at least of the length of the brig ahead of her*. At this moment the flag of the General Urrea was struck, and there was no other gun fired. We then despatched our boats and brought the officers on board the Natchez, hoisting, at the same time, the American flag on board the General Urrea. In attempting to land the crew of the General Urrea on the beach, our boats were fired upon by the Mexican Government schooner Bravo, which was lying outside of the bar, having been warped out in the morning: the fort also commenced firing on our boats. The boats were then recalled, and they returned to the ship. The fort and the schooner Bravo then fired on the Natchez without effect, the shot falling short. The boats brought the crew of the General Urrea on board the Natchez. One of the shot from the schooner Bravo or the fort fell aboard the American schooner Climax, and she would have sunk but for the timely assistance of the Natchez. We then got under weigh, in company with the prize and schooner Climax, and stood off shore. Before the capture of the brig General Urrea, on the same morning, a Mexican brig of war, which afterwards proved to be the General Teran, having in company two schooners, appeared off the Rio del Norte, and continued manoeuvring throughout the day. One of the schooners proved to be an American, from New Orleans, bound into the

Brazos, which we boarded, and was informed by her master that the other schooner was the Julius Cæsar, and that she was a prize to the brig General Teran. On the morning of the 17th, discovered the General Teran at anchor off the Rio del Norte; we were also at anchor, having anchored during the night. At 5 o'clock A. M. the General Teran got under way and stood for the Brazos. We immediately got under way, and made sail in chase of her. At 11 o'clock A. M. the General Teran came to anchor in a confused and irregular manner, and had apparently taken the ground. We then tacked ship and stood off, the prize and schooner Climax in company. In the afternoon of the same day permitted the officers of the General Urrea to go ashore, with the exception of the commander, first lieutenant, and the prize-master of the Louisiana. The prize was kept in company five or six days, when she was despatched to Pensacola, in charge of Lieutenant Moor. We then cruised 10 or 15 days on the coast of Texas and Mexico, and saw nothing of any blockading squadron.

Passed Midshipman D. McDUGAL, of the United States navy, was next sworn.

Witness was attached to the United States ship Natchez at the time she captured the Mexican brig of war General Urrea, and confirms the statement of Lieutenant Peck, with the exception that the firing from the fort was first directed against the Natchez, and afterwards against the boats. Witness heard Captain Pierce, the master of the Louisiana, say that the schooner would be given to him, individually, but that the cargo would be condemned. Captain Pierce told witness that the brig General Urrea had taken from the Louisiana flour and whiskey; and witness, when on board the brig General Urrea, when on her passage to Pensacola, saw flour and whiskey, the marks and brands of which corresponded with the barrels he had seen on board the Louisiana.

Lieutenant HENRY MOOR, of the United States navy, was called and sworn.

Witness was attached to the United States ship Natchez at the time she captured the Mexican brig of war General Urrea, and had charge of the prize, and brought her to Pensacola. Witness confirms the statements of Lieutenant Peck and Passed Midshipman McDougal. Witness was informed by the first lieutenant of the brig General Urrea, that some of the articles on board were taken from the schooner Louisiana.

Question by the court. Was the General Urrea divested of any thing for the use of the Natchez?

Answer. Nothing whatever.

Question by the court. Was every courtesy extended to the officers and crew that circumstances admitted of?

Answer. All that could possibly be.

Commander William Mervine, United States navy, commanding United States ship Natchez, presented the annexed statement and the accompanying documents; which, after being duly sworn to, were received and ordered to be made a part of the record.

The court begs leave to present the foregoing testimony, together with

the annexed statement of Commander William Mervine, and the accompanying documents, as the result of its inquiry and examination.

A. J. DALLAS,
President of the Court.

THO. M. BLOUNT, *Judge Advocate.*

The court, having acted on all matters committed to it by the precept of the honorable the Secretary of the Navy, adjourned without day.

A. J. DALLAS,
President of the Court.

THO. M. BLOUNT, *Judge Advocate.*

The following detail of circumstances relating to the detention and capture of the Mexican Government brigantine General Urrea, by the United States ship Natchez, under my command, is most respectfully submitted to the consideration of this honorable court of inquiry into the said capture of said brigantine :

On the 8th day of April last, 1837, I visited the Brazos de Santiago, and there found anchored, under the guns of the Mexican Government brigantine General Urrea, a vessel, which I afterwards found to be the American schooner Louisiana, J. C. Pierce, master ; said schooner was there held as a prize to the Mexican squadron, then cruising on the coast of Texas, and of which squadron the said brigantine formed part, at the time of the capture of said schooner. These details were given to me by the officer whom I sent on board of said schooner, to ascertain what vessel she was, as, from her showing no colors, and from other suspicious circumstances, I was induced to believe she was an American vessel, which might possibly require my services.

On the return of the boat with the before-mentioned information, I despatched an officer on board of the General Urrea, with a message to the commander, stating that, unless he gave me satisfactory reasons for the capture of the Louisiana, I would feel bound to take possession of her as American property. As no reply was made to my message, I immediately sent an officer and some men on board the Louisiana, which vessel was taken in charge agreeably to my orders. The cargo was broken out, and, on close inspection, was most satisfactorily ascertained to be in no part or manner contraband of war. The next day, April 9th, I received from Captain J. C. Pierce a written statement (marked A) of his capture by the Mexican squadron, and the subsequent taking from him of part of his cargo by the General Urrea.

I then addressed to Captain Machin, commander of the General Urrea, a letter, (marked B,) in which I mentioned to him my having recaptured the Louisiana, and my intention to reinstate the master, J. C. Pierce, in the command, unless some satisfactory reasons should be given me why I should not do so. In said letter I charged Captain Machin with taking from the Louisiana, certain articles of her cargo, without any legal adjudication having been made thereon. As in the afternoon I still remained without any reply from Captain Machin, I reinstated Captain Pierce in the command of the Louisiana, and having convoyed him off from the coast, I returned early on the morning of the 10th, and anchored near to

the General Urrea. This day I received from Captain Machin a reply (marked C) to my letter of yesterday. In his letter he admits the illegality of the capture of the Louisiana, and very feebly excuses his taking out part of the cargo of the Louisiana, by alleging the same was given to him by Captain Pierce, the master. This paltry evasion of the truth lost all weight with me, from the circumstance of my knowing that Captain Pierce was not the owner of any part of the cargo, and, at the time the articles were taken, was without any control over the vessel or cargo—he being himself a prisoner, and his vessel and cargo detained as a prize to the Mexican squadron.

As I had every reason to believe that the American schooner *Champion*, lying at anchor inside of the harbor, had been as illegally captured, and afterwards as unceremoniously plundered, as had been the *Louisiana*, I at once determined to make some exertions to effect her release; in that intention I sent a message to the commander of the General Urrea, saying he must not get under way until I had duly investigated the legality of the capture of the *Champion*; for I had determined, that in case I found that the *Champion* had been as illegally captured, and afterwards as dishonestly plundered, as had been the *Louisiana*, to take possession of the General Urrea, and retain that vessel until I had obtained the full release of the *Champion* and cargo. I also sent a boat to the *Champion*, to ascertain correctly under what circumstances she was lying there at anchor. On the return of the boat, I was informed by the officer who had gone in her that the captain, crew, and passengers of the *Champion* were confined to the vessel, and that all communication with them was strictly interdicted.

April 10, I addressed to J. M. Espino, captain of the port, a letter, (marked D,) demanding of him that the bearer of my letter should be allowed immediate communication with the captain, crew, and passengers of the *Champion*; and the same day I received his written answer, (marked E,) in which he refused my request, and gave for reason in so doing, that he had no authority in the matter, and referred me to the commanding General-in-chief, Don Nicolas Bravo, then absent from the place. This refusal prevented all further examination into the case of the *Champion*. However, by the same conveyance which brought me the letter of Captain Espino, I received from Captain Norman Sherwood, master of the *Champion*, a letter which he had succeeded in smuggling on shore. In this letter (marked F) I had all the particulars of the capture of the *Champion* by the Mexican squadron, and of the subsequent plundering of that vessel by the General Urrea. I was informed that said capture was made on our own coast, and almost within the jurisdiction of the waters of the United States. Of all these matters our consul appeared totally unacquainted, and had of course taken no steps for their adjustment.

The same day, April 15th, I addressed a letter (marked G) to General Nicolas Bravo, detailing to him the capture of the *Louisiana* and *Champion*, and demanding immediate restitution of the latter vessel. This letter was sent by express.

On the morning of April 17 there appeared off the harbor a Mexican gun brig, accompanied by a prize vessel, which, from information given to me, was the American schooner *Julius Cæsar*, cleared from New Or-

leans for Velasco, Texas. As I had every reason to believe she had also been illegally, and, in a measure, piratically, captured by the Mexican squadron, I deemed it to be my imperative duty to attempt her recapture ; but as I could not make sail for that purpose without enabling the General Urrea to escape from under my guns, and my thereby losing the only means of effecting the release of the Champion, I thought it most advisable to take immediate possession of the General Urrea ; which I accordingly did. This was hardly effected before the fort and the Mexican brig of war Bravo opened their fire upon the Natchez ; but, as their cannonading proved entirely harmless, it was not returned by me. They were more successful in their very uncalled-for and unmanly attack on a defenceless American vessel, the schooner Climax, from Pensacola ; which vessel was at anchor within reach of their guns, and would assuredly have been sunk had it not been for the timely assistance I sent to her relief. As soon as possible I got under way, (accompanied by the General Urrea,) to effect, if possible, the recapture of the Julius Cæsar ; but, the wind unfortunately dying away, she was got under cover of the guns of the fort on the Rio del Norte before it was possible for me to effect her recapture. I then stood towards the gun brig, which I afterwards understood to be the General Teran ; which vessel, in endeavoring to escape, ran ashore on the worst part of the bar, where she remained during twenty-four hours. Finding it quite impossible to effect at this moment the release of either of the two captured vessels, I cruised along the Texian coast for ten or twelve days, but without once seeing or hearing of the Mexican blockading squadron ; which circumstance sufficiently demonstrated the total absence of any real blockade of the Texian coast, as declared by the Mexican authorities. About April 24th I sent the General Urrea to Pensacola, Lieutenant Moor, of the Natchez, having her in charge. On my return to the Brazos Santiago, in June last, I, on or about the 12th of that month, received from D. W. Smith, our consul at Matamoras, a letter (marked H) enclosing an affidavit (marked I) of John Webb, pilot for the port of Matamoras ; and I must here observe that this affidavit corroborated the opinion myself and others had already entertained of the conduct of said J. C. Pierce, who, in all matters tending to the recapture of his vessel, at all times evinced a most singular degree of coldness and disregard, amounting almost to absolute dissatisfaction ; in fact, his whole deportment was such as naturally led to the belief that there was something wrong ; for too good an understanding evidently existed between him and Captain Machin, commander of the General Urrea.

In closing, I would respectfully remark to this honorable court, that, in all my acts connected with the capture of the General Urrea, my conduct was always governed by the sole desire to see the American flag treated with that respect and equity which was so fully guaranteed it by the treaty signed by the United States and Mexico in 1831 ; and that I always had in view, and strictly observed, the express conditions of said treaty, and more especially the articles 16, 18, 19, 20, and 21, which more pertinently applied to the case in question. These said articles, and also the general laws of nations, as expounded by Vattel and Jacobsen, under the heads of *commerce*, *contraband*, and *blockade*, appeared to me fully to justify, and even to call for, the measures I resorted to, and which

finally determined me to make the capture which is now the subject of inquiry for this honorable court.

WM. MERVINE, *Commander.*

Sworn to in open court, August 25, 1837.

THO. M. BLOUNT,
Judge Advocate.

A.

BRAZOS DE SANTIAGO, *April 10, 1837.*

The schooner Louisiana, J. W. Pierce, master, from New Orleans, and bound for Matagorda, Texas, out from Southwest Pass three days, on the 4th April, 1837, and on the coast of Texas, in latitude 28 degrees 35 minutes, in 10 fathoms water, at 8 o'clock, A. M., saw a brig of war, which gave chase, and at 11 fired a gun, set Mexican colors; we then hove to, and set the colors, and was boarded by her boat, and the vessel's papers called for by the boarding officer, and delivered, all except the register. At the same time saw two more brigs of war to the N. E., in chase of an American schooner, which was standing to the W., distance from us six miles S. E. At 12 M. the American schooner was brought to; the wind became light from the N. W., we were ordered to bear up and run for the squadron, in company with the brig which boarded us; at 2 P. M. came up with the commodore, and hove to, with light breezes from the S. E.; at 3 was boarded by Captain Davis, from the commodore, with orders to proceed on board with my register. On my arrival on board, was called upon by the commodore to know if I knew that the ports of Texas were blockaded. My answer was, no. I was then requested to know if I had arms or implements of war on board. No. I then was ordered back to my vessel, and at 4 Captain Davis came on board, directed me to inform the passengers to get their baggage in readiness to go on board the American schooner, which was ordered for Matagorda, where she was bound. The baggage was collected and put on board the boats of the squadron, three in number, and the five passengers sent on board the American schooner; and at the same time Captain Davis informed me that he should send me to Vera Cruz; and at 5 the prize-crew came on board, and at 6 the papers were sent on board and delivered to the prize-master. We then made sail and steered S. E., with light winds at W.; and on the 8th made the Brazos de Santiago, and a brig of war, which was at anchor, and at 3 P. M. came to anchor in 8 fathoms water near the brig of war, and was boarded by her boat, and three casks of water called for and delivered; and on the 9th the boat from the brig of war came on board and took four barrels flour, and one do. bread, one do. whiskey, and two bacon hams.

The above is as near as I can recollect of the particulars of the present transaction.

Sir, have me remain your most obedient,

J. C. PIERCE.

To the CAPTAIN
of the United States ship Natchez.

B.

U. S. SLOOP OF WAR NATCHEZ,

Off Brazos de Santiago, April 9, 1837.

SIR: On my arrival off this port yesterday, I found the American schooner Louisiana, John Pierce, master, belonging to New Orleans, and bound to Matagorda, Texas, in possession of a prize-crew belonging to the Mexican squadron; which vessel was captured on the 4th inst. for an alleged violation of the blockade of that port.

Now, sir, it appears, from the report of the master of the Louisiana, that you took out of said vessel, for the use of the vessel under your command, certain parts of her cargo before legal adjudication was or could be had thereon; and, from the fact of her being under your guns, I conclude that you, sir, have charge of her, and shall therefore address myself to you on the subject of her recapture. I would here remark, that a blockade cannot be legally maintained, according to the "laws and usages of civilized nations," until a declaration of such fact or intention shall have been communicated to the Governments or nations interested therein, and ample time allowed for all to become acquainted with the decree; or, on the approach of any vessel to such blockaded port, it is the duty of such blockading vessels to notify such vessel of the same, and warn her off, before she is liable to seizure.

As I have good reasons for believing that neither of the above prerequisites has been complied with, more especially the latter, I have therefore considered it my duty to recapture the said schooner, and shall reinstate the master in command, unless you can satisfy me that she has been captured in accordance with the above formalities.

I have the honor to be, sir, your obedient servant,

WM. MERVINE,
Comd'g U. S. ship Natchez.

To Capt. D. JOSE MARIA MACHIN,

Commanding the Mexican brigantine of war General Urrea.

C.

BERGANTIN GOLETA DE GUERRA GENERAL URREA,

Brazos de Santiago, Abril 10 de 1837.

SEÑOR: La goleta Americana Luisiana qué V. encuentro fondeada el día 8 de Abril, y que fue apresada por la escuadra Mexicana el día 4 del mismo, ha sido recomendado de orden del señor comandante general de dicha escuadra, para que yo remitiese al Gobierno los documentos que le pertenecian á dicho buque, el que deliberará si es ó no buena presa, y al mismo tiempo le participo las ocurrencias que han habido sobre querer Vmd. represarla.

Respecto á los informes que el capitan John Pierce ha dado me, son bien estraños, por que segun noticias tengo le debiera ser restituido su buque, con los viveres que le pertenecian, como lo sabe muy bien el referi-

do capitan; y cuando mandé el bote fué con el objeto deber si podia cederme alguna cosa corta de sus viveres, sin perjuicio; y si le habian sobrado de los pasajeros, y me contestó que no consideraba tener ningun embarazo en cederme alguna cosa por ser todas estas de su propiedad. Y, por consiguiente que apreciaréa mucho recibiese yo las que me envio; de lo contrario, me guardaria muy bien pues mi delicadeza no permitiria faltar en nada á las deberes regulares del buen orden.

Con lo que queda contestada su nota de V. con la fecha de este dia.

Soy su muy obediente servidor, Q. B. S. M.

JOSE M. MACHIN.

Al Señor WILLIAM MERVINE,

Comandante de la corbeta de los E. U. del Norte America Natchez.

D.

U. S. SLOOP OF WAR NATCHEZ,

Off Brazos de Santiago, April 10, 1837.

SIR: I have been informed that all intercourse with the captain, passengers, and crew of the American schooner Champion is prohibited; which vessel is now under your charge, and was captured on the 4th instant by the Mexican squadron. As I have good reasons for believing that said vessel was illegally captured, if not piratically, I therefore demand that the bearer of this note be allowed immediate and free communication with the captain, crew, and passengers of said vessel; otherwise, I will hold the Mexican brigantine of war General Urrea, now under the guns of this ship, responsible for the refusal.

Very respectfully, I have the honor to be, sir, your obedient servant,
WM. MERVINE.

To JOSE M. ESPINO,

Captain of the port of Brazos de Santiago.

E.

CAPITANIA DEL PUERTO DE MATAMOROS.

He recibido la nota de V. de este dia, en que me pide que permita al oficial dador de ella el pasar á bordo de la goleta Americana Champion que se halla presa, y que de no detendrá al bergantin nacional de guerra General Urrea, que se halla bajo sus fuegos. Como no está en mis atribuciones el permitirlo y mis disposiciones dimanar del exmo. sôr. General-en gefe Don Nicolas Bravo, me es imposible obsequiar su podido, y puede V. hacerlo á él directamente, como yo lo hago al remitirle la comunicacion de V. en este momento por extraordinario.

Si esto no pareciese á V. arreglado, puede hacer cuanto le parezca, segun que la responsabilidad de todo pesar á sobre el que proboque ó atropelle.

Dios y libertad. Brazo de Santiago, 15 de Abril de 1837.

JOSE M. ESPINO.

Sor. DON WILLIAM MERVINE,

Comandante de la corbeta de guerra Natchez.

F.

BRAZOS SANTIAGO, *April 11, 1837.*

On the 1st day of April, at 4 o'clock, P. M., the schooner *Champion*, of New York, bound from New Orleans for Matagorda, with an assorted cargo of merchandise, was captured by the Mexican fleet, in latitude $29^{\circ} 15'$, longitude $93^{\circ} 45'$, and carried into this port, having on board nine passengers and crew, of all whom have been close prisoners, with myself, since taken on board of the schooner, viz: April 1st, latitude $29^{\circ} 15'$, longitude $93^{\circ} 45'$.

Four o'clock, was boarded by the commodore's boat; took our register, manifest, &c., and anchored her in fifteen fathoms water; myself and passengers were carried on board of the commodore's brig; after undergoing an examination, were all sent back on board of the schooner, same night, with the exception of the mate, who was retained.

April 2d, at 12 o'clock, M., took some lumber from the schooner on board of commodore's brig; at 1 o'clock got under way, convoyed by one of the fleet to this port, with a prize-crew on board.

April 3d: On our way down.

April 4th: On our way down.

April 5th: Arrived off this port, but had seen no land; the captain of the vessel of war convoying us lowered his boats, came on board, took from the schooner a quantity of lumber, water, flour, &c.; arrived off this bar same evening.

April 6th: Lay at anchor.

April 7th: At anchor; had a gale; from their negligence lost my flying gib, and vessel labored considerably.

April 8th: Got under way, without wind; towed by boats, and thumped severely over the bar; took declarations from the passengers.

April 9th: Took declarations again from the passengers, who have been constantly under guard, without permission to go ashore; not being permitted to communicate with the shore, privately sent a letter to the consul, asking protection: do not know whether he will get it or not.

April 10th: Nothing transpired; considerable confusion on shore, and apparently the garrison under arms all day.

April 11th: Nothing transpired.

When captured, the commodore pledged himself that nothing should be taken from the vessel until condemned by a court of inquiry; in contrariety, the captain of the brig of war *General Urrea* took the articles as named on the 5th of April; also, one of the passengers lost some of his baggage, which was stolen. The prize-master took my log-book; therefore I cannot send it to you. All my passengers are Americans, and, with myself and crew, ask protection for themselves and property.

NORMAN SHERWOOD.

To the COMMANDER of the American sloop of war.

G.

UNITED STATES SLOOP OF WAR NATCHEZ,

Off Brazos de Santiago, April 15, 1837.

SIR: Two American schooners, of and belonging to New Orleans, bound to Matagorda, with cargoes entirely innocent in their nature, were, on the 4th instant, captured off Matagorda, by the Mexican squadron, in direct violation of all the usages of civilized nations relative to neutrals; one of which vessels, the Louisiana, I recaptured off this port, on the 8th instant; the other is now in possession of the authorities at the Brazos de Santiago. As there has been no declaration of blockade officially announced by the Government of Mexico, or notification of the same to my Government—certainly none in time for the parties interested therein to guard against the sudden measure; for the decree of the Mexican Government, dated the 9th of January, 1836, closing certain ports belonging to the republic, is not applicable to Texas, because she is an independent nation, and has been so recognised by the United States—consequently, it was incumbent upon the captors, according to the law of nations, to notify the blockade, and warn off all vessels approaching such blockaded port, which, if not respected, made them liable; and under no other circumstances were they liable to capture.

Now, sir, as these prerequisites were totally disregarded in this case, I can view these captures in no other light than that of piratical; and, therefore, demand of your excellency that the schooner Champion, with her papers, be immediately given up to the master of said vessel, and that he be permitted to depart with every article of the cargo, contraband of war only excepted; also, that your excellency deliver up to the American consul the papers of the schooner Louisiana; otherwise I will capture the Mexican brigantine vessel of war General Urrea, now under the guns of this ship; the officers of which vessel I will hold responsible for being in possession of two American vessels, piratically captured, both of which were plundered of certain articles of their cargoes, before legal adjudication was or could be had thereon.

I have the honor to be, &c.

WILLIAM MERVINE,

Commander U. S. ship Natchez.

To His Excellency General BRAVO,

Commander-in-chief of the Army of the North.

H.

CONSULATE OF THE UNITED STATES OF AMERICA,

Matamoras, June 12, 1837.

SIR: I transmit herewith an affidavit of the pilot of this port, respecting an agreement between the master of the schooner Louisiana and the commander of the Mexican man of war General Urrea, which will ac-

count for the indifference of the former about the recapture of his vessel off this port, in the beginning of April last.

I have the honor to be, with great respect, sir,
Your most obedient servant,

D. W. SMITH.

To WILLIAM MERVINE, Esq.,
*Commander of the U. S. sloop of war Natchez,
off the port of Matamoras.*

I.

John Webb, pilot of the port of Matamoras, being duly sworn upon the Holy Evangelists of Almighty God, deposes and says : that on or about the 8th day of April last, when he boarded the American schooner Louisiana, off this port, Captain Pierce told him, this deponent, that the said vessel had been captured by the Mexican squadron, but that the commander of the Mexican man of war General Urrea had promised to give him the said vessel as soon as she was condemned, and one thousand dollars freight ; with which arrangement the said Pierce appeared to be much pleased.

JOHN WEBB.

Sworn to and subscribed before me, this 12th day of June, A. D. 1837.

D. W. SMITH,
Consul of the United States of America.

An extract from a letter from Commodore Alexander J. Dallas to the Secretary of the Navy, dated on board the United States frigate Constellation, Pensacola bay, 15th July, 1837.

“On the 5th instant I fell in with the Vandalia, having on board Mr. Greenhow, and all the letters of the Department in relation to the delivery of the Urrea to the authorities at Brazos de Santiago. Commander Crabb, having performed that duty, on our meeting sent me the papers herewith forwarded, which will put you in possession of the fact of the Urrea being delivered to the proper authorities, as well as the manner in which the orders of the Government have been carried into effect.”

UNITED STATES SHIP VANDALIA,

Off the Brazos de Santiago, June 29, 1837.

SIR : I have the honor to inform you of my arrival off this place, in charge of the Mexican armed brig General Urrea. Commodore Dallas having sailed with his squadron from Pensacola previous to my arrival

from Tampa bay, and being apprized of the views of our Government in relation to the restoration of the Urrea, I immediately prepared my ship for sea, and convoyed her to this place. I have written to the commanding general at Matamoras, received his answer, and restored the brig to the Mexican authorities. I will sail at an early period for Tampico and Vera Cruz, in order to fall in with Commodore Dallas.

Mr. Robert Greenhow, bearer of despatches to Mexico, is a passenger in the Vandalia.

Copies of my correspondence with the Mexican authorities, in relation to the General Urrea, are herewith transmitted.

I am, very respectfully,

Your obedient servant,

THOMAS CRABB,
Commander.

Hon. MAHLON DICKERSON,
Secretary of the Navy, Washington, D. C.

UNITED STATES SHIP VANDALIA,

Off the Brazos de Santiago, Tuesday, June 27, 1837.

The undersigned, commander of the United States ship Vandalia, has the honor to inform his excellency the Commanding General of the Mexican Army of the North, that he has just arrived off the Brazos de Santiago, accompanied by the Mexican brig General Urrea; and that the said brig, having been, agreeably to the orders of the President, restored as nearly as possible to the condition in which she was previous to her capture, is now ready to be placed at the disposition of the Mexican authorities. It was the intention of the President that the General Urrea should have been accompanied to this place and delivered up by Commodore Dallas, the commander of the naval forces of the United States in the Gulf of Mexico; but that officer having quit Pensacola, with the greater part of his squadron, before the arrival of the orders to that effect, it became the duty of the undersigned to carry them into execution, and he has endeavored to do so in the manner most conformable with the wishes of his Government.

The measures taken in consequence, for refitting the General Urrea, will be seen by reference to the enclosed copies of the instructions (A) given by the undersigned to the officer in whose charge the brig remained, and of the report (B) made by that officer when the arrangements were completed.

The undersigned has therefore only to request that his excellency the Commanding General of the Mexican Army of the North will be pleased to order the dispositions for the receipt of the brig to be made as speedily as possible, as he is anxious to proceed to Vera Cruz for the purpose of conveying to that port a gentleman charged with important communications from the Government of the United States to that of Mexico; he also respectfully suggests the propriety of sending duplicate copies of the answer which the Commanding General may think proper

to make to this letter, as well as of any other testimonials which he may judge most convenient, for substantiating the fact of the restoration of the General Urrea at Mexico.

The undersigned has the honor to offer to the Commanding General of the Mexican Army of the North the assurance of his most distinguished consideration, and remains

His most obedient servant,

THOMAS CRABB,

Commander of the United States ship Vandalia.

His Excellency the GENERAL,

Commanding the Mexican Army of the North.

A.

UNITED STATES SHIP VANDALIA,

Pensacola Bay, June 14, 1837.

SIR: It being the object of the Government of the United States to restore to the public authorities at the Brazos de Santiago, in the most appropriate manner, the Mexican brig General Urrea, sent into this port by the United States ship Natchez, you will remain on board the General Urrea until she arrives at her port of destination, to which she will be convoyed by the United States ship Vandalia, under my command.

The General Urrea will be particularly under the control of her commander. She must, however, if possible, be kept in company with the Vandalia.

When the General Urrea has received "*such and so much stores and provisions as she had on board at the time of her capture,*" you will report to me, and request her commander to proceed to sea in company with the Vandalia. On our arrival at the Brazos de Santiago, you will repair on board this ship.

The commander of the General Urrea can hoist his national flag whenever he may deem it proper.

I am, very respectfully, your obedient servant,

THOMAS CRABB,

Commander.

Lieutenant HENRY MOOR,

U. S. Navy, Pensacola Bay.

B.

MEXICAN BRIG OF WAR GENERAL URREA,

Navy Yard, Pensacola, June 14, 1837.

SIR: I have the honor to report this vessel ready for sea, with stores and provisions for 30 days, and that she is, in every respect, as well or better provided with all necessary supplies, as at the time of her capture

at the Brazos de Santiago, on the 16th of April last, by the United States ship Natchez.

I am, very respectfully, sir, your obedient servant,

H. MOOR,

Lieutenant United States Navy.

To Commander THOMAS CRABB,

United States ship Vandalia.

CUARTEL GENERAL EN MATAMOROS,

28 de Junio de 1837.

He recibido la atenta nota de V. fecha de ayer, y copias con que la acompaña, en que se sirve participarme su llegada al fondeadero del Brazo de Santiago, y el encargo que tiene del Gobierno de los Estados Unidos para restituir el bergantin de guerra nacional "General Urrea" á las autoridades de la republica, en el estado en que se hallaba el dia 14 de Abril proximo pasado, en que fué apresada por la corbeta "Natchez" de dichos Estados; y enterado de todo, tengo el honor de remitir á V. una copia de las instrucciones que doy al señor teniente de la armada y capitan de este puerto, Don José Maria Espino, para que con la celeridad que V. desea pase á recibir el bergantin Urrea del oficial que V. haya tenido á bien elegir para entregarlo, y al que deberá otorgar el debido recibo ó reconocimiento por duplicado como V. me pide, en cuya forma vá tambien esta carta: pareciendome que estos dos documentos serán bastantes para corroborar el hecho de haberse restituido el citado bergantin.

Con este motivo, tengo la satisfaccion de ofrecer á V. las seguridades de mi consideracion muy distinguida, y de subscribirme su mas atento servidor,

VICENTE FILISOLA.

Al Señor Don THOMAS CRABB,

Comandante de la corbeta de los E. U. Vandalia.

CUARTEL GENERAL EN MATAMOROS,

Junio 28 de 1837.

El Señor Don Thomas Crabb, comandante de la corbeta de los Estados Unidos "Vandalia," me ha participado, en nota de ayer, que ha llegado á ese fondeadero, conboyando al bergantin de guerra nacional General Urrea, apresado en 14 de Abril proximo pasado por la de igual clase republica, y mandado restituir por aquel Gobierno á las autoridades de la republica. En su consecuencia, he dispuesto que pase V., sin perdida de tiempo, abordo de la espresada Vandalia, para que poniendose de acuerdo con el Señor Comandante Crabb se dirija en seguida al bergantin Urrea, y lo reciba del oficial que deba entregarsele, preguntando previamente al capitan Don José Maria Machin si el estado en que este se halla es el mismo que tenia el dia de su apresamiento; en cuya conformidad, otorgará un recibo por duplicado, y en idioma Castellano, al oficial comisionado, para la entrega ó al mismo Señor Comandante

Crabb, si así lo preferiese, cuidando de remitirme un tanto de este documento para mi gobierno, y de quedarse V. con copia para constancia. Verificado que halla sido la entrega del bergantin Urrea, prevendrá V. de mi orden al capitán Don José María Machin me remita una relación circunstanciada de todo lo que le ha ocurrido desde el citado día 14 de Abril en que fué apresado. Finalmente, al confiar este encargo á la eficacia de V., solo me resta recomendar le proceda á desempeñarlo, con la celeridad posible, y con el objeto de no embarasar otras atenciones de servicio que tiene á su cargo el Comandante Crabb, y de que me hable en su nota relativa.

Dios y libertad.

VICENTE FILISOLA.

Señor Capitan de este puerto,

DON JOSE MARIA ESPINO.

MATAMOROS, Junio 28 de 1837.

Es copia :

J. M. GUERRA.

ABORDO DEL BERGANTIN DE GUERRA GENERAL URREA,

Al ancla á frente de los Brazos de Santiago,

Junio 29 de 1837.

He recibido del señor comandante de la corbeta de los Estados Unidos "Vandalia," Don Thomas Crabb, el bergantin goleta de guerra nacional "General Urrea," que, por orden de su Gobierno, vino á entregar al exmo. señor general-en-jeffe Don Vicente Filisola, en los mismos términos que estaba el día de su apresamiento; y para que conste y de orden de dicho señor exmo., por quien estoy comisionado, doy la presente por duplicado.

Dios y libertad.

JOSE M. ESPINO.

CANADA FRONTIER.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A report of the Secretary of State, in reply to a resolution of the House of Representatives of the 5th instant, requiring information of any acts endangering the relations of friendship between the United States and Great Britain.

JANUARY 8, 1838.

Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States :

I herewith transmit to the House of Representatives a report from the Secretary of State, in answer to a resolution of that body dated the 5th instant.

M. VAN BUREN.

WASHINGTON, January 8, 1838.

DEPARTMENT OF STATE,

Washington, January 8, 1838.

To the President of the United States :

The Secretary of State, to whom have been referred certain resolutions of the House of Representatives, bearing date the 5th instant, the last of which requests the President "to communicate to that House any additional information in his possession of acts endangering the amicable relations between this Government and that of Great Britain, either by the subjects of Great Britain, or by our own citizens, on the Canadian frontier, and what measures have been adopted by the Executive to preserve our neutrality with said kingdom, or repel invasion from a foreign country," has the honor to report to the President, that, excepting two papers which it is understood will accompany an Executive communication to Congress to-day, all the information in the possession of this Department, as requested by the above-cited resolution, is contained in the copies of documents transmitted to the President with the report of this date, in answer to the second resolution of the series ; to which the Secretary begs leave respectfully to refer.

JOHN FORSYTH.

CONTINGENT EXPENSES—MILITARY ESTABLISHMENT.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A report of the Second Auditor, showing the expenditure of the appropriation for the contingent expenses of the Military Establishment during the year 1837.

JANUARY 8, 1838.

Read, and laid upon the table.

DEPARTMENT OF WAR,

January 6, 1838.

SIR: IN compliance with the provisions of the 5th section of the act of March 3, 1809, I have the honor to transmit herewith a report from the Second Auditor, showing the expenditure of the appropriation for the contingent expenses of the military establishment during the year 1837.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Hon. JAMES K. POLK,

Speaker of the House of Representatives.

TREASURY DEPARTMENT,

Second Auditor's Office, January 2, 1838.

SIR: I have the honor to hand you herewith a statement, in duplicate, of the expenditure of the moneys appropriated for the contingent expenses of the military establishment for the year 1837; exhibited in pursuance of the 5th section of the act of the 3d of March, 1809, entitled "An act to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments."

I have the honor to be, sir, very respectfully, your obedient servant,
W. B. LEWIS.

Hon. J. R. POINSETT, *Secretary of War.*

Statement of the expenditure of the moneys appropriated for the contingent expenses of the military establishment for the year 1837, exhibited in pursuance of the 5th section of the act of 3d March, 1809, entitled "An act to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments."

Date of settlement.	To whom paid.	For what purpose.	Amount.
1837.			
February 25	Major A. E. Mackay, assistant quartermaster	For amount paid by him in November, 1836, for taxes on public property at Carlisle, Pennsylvania, for that year - - -	\$25 95
27	C. Smyth, deceased, late United States army	For amount paid by him at Fort King, Florida, in April, May, and June, 1835, for the hire of an interpreter at that post - - -	30 00
March 6	Wiley & Long - - -	For 50 copies of Mahan's field fortifications, furnished the War Department in December, 1836 - - -	62 50
14	J. V. N. Throop - - -	For printing 150 blank commissions for the army, and delivered to the adjutant general the 13th March, 1837 - - -	18 00
April 6	William Jones, postmaster - - -	For postage on letters by express mail addressed to the War Department and adjutant general, between the 15th November, 1836, and the 31st March, 1837 - - -	119 38
12	J. V. N. Throop, - - -	For printing 300 commissions on parchment the 12th instant, and delivered to the adjutant general the same day - - -	37 50
June 6	William Fischer - - -	For parchment furnished the adjutant general between 1st January and 1st March, 1837, for army commissions - - -	69 20
20	Lieutenant E. B. Alexander, assistant quartermaster.	For amount paid by him at Fort Jesup, Louisiana, in October, 1836, for three chains, for the purpose of carrying into effect sentences of a regimental court martial - - -	2 25

July	1	Major J. L. Gardner, late assistant quartermaster.	-	For commission of 2½ per cent. on his disbursements, out of the line of his regular duties, at the city of Washington, between the years 1836 and 1829, allowed by decision of the acting Secretary of War for postage on letters and packets by express mail, addressed to the War Department in the second quarter of 1837	435 08
	3	William Jones, postmaster	-	For amount paid by him at St. Augustine, in the fourth quarter of 1836, for velvet, tacks, and tape, used for coffin of Lieutenant Herring, 8d artillery	41 66
	10	Lieutenant L. B. Webster, acting assistant quartermaster.	-	For printing sundry blanks in May and June, 1837, by order of the adjutant general, for army purposes	11 13
	11	Benjamin Homans	-	For amount paid by him at Philadelphia, in February, 1837, for taxes on public property on Province island for the year 1836	360 00
	19	Major A. E. Mackay, assistant quartermaster	-	For amount paid by him at St. Augustine, in March, 1837, for a coffin for Lieutenant Mackay, 1st artillery	16 50
	19	Captain Harvey Brown, acting assistant quartermaster.	-	For expenses incurred in transporting a negro prisoner, charged with having murdered a slave in his employ, from Fort Leavenworth to St. Louis, by order of Colonel Dodge, in March, 1836, allowed by special decision of the Secretary of War	14 92
	26	Lieutenant B. D. Moore, 1st dragoons	-	For amount paid by him at West Point, New York, in January, 1837, for a mahogany coffin for Major R. Alden, military storekeeper	93 00
August	7	Lieutenant H. Swartwout, acting assistant quartermaster.	-	For an allowance made him by the Secretary of War for the services of his son Edward (a minor) as a clerk in the pension bureau, War Department, from July, 1818, to July, 1819	24 00
	7	Samuel Lewis	-	For a payment made by him at New Orleans, in May, 1837, for the funeral expenses of the late Captain W. S. Newton, specially sanctioned by the Secretary of War	800 00
September	6	Major Isaac Clark, assistant quartermaster	-		105 00

STATEMENT—Continued.

Date of settlement.	To whom paid.	For what purpose.	Amount.
1887.			
September 19	Captain Thos. Swords, assistant quartermaster	For expenses incurred in destroying whiskey trader's houses in Clay county, Missouri, in April, 1837 -	\$125 00
25	Captain L. B. Webster, acting assistant quartermaster.	For amount paid by him at St. Augustine, in January, 1837, for the funeral expenses of the late Lieutenant Colonel Brooks, United States army -	14 07
October 3	Blair & Rives	For printing the Army Registers of 1835 and 1836, and sundry regulations and orders for the army of the United States, and for its use, by order of the adjutant general -	667 04
6	A. B. Claxton & Co.	For sundry printing done for the use of the army in July, August, and September, 1837, and received by the adjutant general -	65 00
6	Franck Taylor	For 600 sheets of parchment furnished the adjutant general the 15th of April, 1837, for commissions for officers of the army -	240 00
16	William Jones, postmaster	For postage on letters by express mail, addressed to the office of the adjutant general, War Department, and clothing bureau, from 1st July to 30th September, 1837, allowed by the Secretary of War -	71 38
27	Christopher Hughes, chargé d'affaires	For so much paid in Stockholm, for a gum elastic knapsack and powder sack, in May, 1837, now in the possession of the Ordnance department -	27 03
November 8	Philip Haas	For amount of his account, allowed by the Secretary of War, for lithographing and printing 200 copies of the Theatre of War in Florida, in the present month -	119 00

December 18	Captain D. S. Milos, acting assistant quartermaster.	For amount paid by him at Baltimore, in July, 1837, for the funeral expenses of the late Doctor Thomas R. Johnson, army surgeon - - - - -	40 00
			<hr/> \$8,634 59

W. B. LEWIS.

TREASURY DEPARTMENT,
Second Auditor's Office, January 2, 1838.



COURT OF INQUIRY—OPERATIONS IN FLORIDA, &c.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Copies of the Proceedings of a Court of Inquiry, convened at Fredericktown, in relation to the Operations against the Seminole and Creek Indians, &c.

JANUARY 8, 1838.

Read, and laid upon the table.

DEPARTMENT OF WAR,
January 6, 1838.

SIR: I have the honor to transmit, herewith, "a copy of the record of the proceedings of the court of inquiry, convened at Fredericktown, in relation to the operations against the Seminole and Creek Indians," which contains what is called for in the first three paragraphs of the resolution of the House of Representatives of the 4th of October last; and to enclose a report and documents from the Commanding General in answer to the fourth and last paragraph of that resolution.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Hon. JAMES K. POLK,
Speaker of the House of Representatives.

HEADQUARTERS OF THE ARMY,
Washington, January 2, 1838.

SIR: I have the honor, herewith, to transmit a copy of the correspondence with Major General Jesup, and all other information which can be furnished by this office, in relation to the Creek and Seminole campaigns, as required by the resolution of the House of Representatives of the 4th of October, 1837.

I have the honor to be, very respectfully, sir, your obedient servant,

ALEX. MACOMB,

Major General commanding in chief.

To the SECRETARY OF WAR,
War Department, Washington, D. C.

HEADQUARTERS OF THE ARMY,

Washington, June 28, 1836.

SIR: I have received, through the Secretary of War, the order of the President to call you to the seat of Government. You will, therefore, on the receipt of this letter, turn over to Brigadier General Jesup the command of the troops serving against the hostile Creeks, and repair to the city of Washington.

I have the honor to be, very respectfully, your obedient servant,

ALEX. MACOMB,

Major General commanding in chief.

Major General W. SCOTT,
Fort Mitchell, Alabama.

HEADQUARTERS OF THE ARMY,

Washington, June 28, 1836.

SIR: Major General Scott having been ordered to the seat of Government, the command of the troops serving against the hostile Creeks is, by direction of the President, hereby vested in you. The instructions which you received from the War Department, on leaving Washington for the Creek nation, will be your guide in executing the important duties which are hereby again devolved on you.

I have the honor to be, very respectfully, sir, your obedient servant,

ALEX. MACOMB,

Major General commanding in chief.

Major General JESUP,
Fort Mitchell, Alabama.

HEADQUARTERS OF THE ARMY,

Washington, April 7, 1837.

SIR: From the favorable reports you have made of the state of affairs in Florida, and the recent conduct of the Indians, we are led to the belief that you will soon terminate matters with the Seminoles. If such should be the case, it is desirable that the troops should be sent to their respective stations, as indicated in a late general order concerning the artillery, and the other troops, the dragoons and infantry, to repair, by the way of New Orleans, to the following points, viz: the dragoons to Jefferson barracks, where the whole regiment is to be assembled for instruction; and the 6th infantry to Jesup; the 4th to New Orleans and Baton Rouge—say 5 companies at New Orleans and 5 at Baton Rouge. As the public property will require, in all probability, some protection, and the country itself the countenance of some military force, you will retain such as you may deem necessary for the purpose; but the dragoons you will forward to New Orleans as soon as possible, with a view to their joining at Jefferson barracks. All this presumes the war to be ended.

In a letter addressed by you to the Colonel of Ordnance, you ask for an additional officer to assist Captain d'Lagnel. Cannot you supply the necessary assistants from the officers of the artillery? There is Lieutenant Thornton, a first-rate ordnance officer, and, I dare say, many others very com-

petent. I will therefore request that you use your discretion in ordering officers of the artillery under your command on ordnance service, with a view of securing all the property belonging to that department in Florida, or elsewhere, belonging to the army, which has been operating in the Seminole and Creek countries.

General Armistead has expressed a wish that he might be indulged with leave of absence after the close of the war in Florida. I leave it to your discretion to grant him such leave of absence as you may approve, within the extent of the regulations, when his services may not be longer required in Florida.

I have the honor to be, very respectfully, your most obedient servant,
ALEX. MACOMB,

Maj. Gen. commanding in chief.

To Maj. Gen. THOS. S. JESUP,

Commanding the forces U. S. in Florida.

HEADQUARTERS OF THE ARMY,

Washington, April 18, 1837.

SIR: Since I last addressed you on the subject of the disposition of the troops at the close of the war in Florida, circumstances connected with the Southwestern frontier have induced a change from that communicated to you in my letter of the 7th of April. It is now determined by the Secretary of War to station two regiments of artillery at Camp Sabine, on the Sabine river, near where the Nacogdoches road crosses; one regiment and six companies of the remaining regiment of artillery on the Sabine river, where the Opelousas road crosses; two of the remaining companies to be stationed at some healthy position as near the mouth of the Sabine as practicable, and one at Key West; the two companies of the second regiment of infantry to be stationed at the Upper Withlacoochee, Georgia; fourth regiment of infantry, five companies to remain in Florida, two to garrison Baton Rouge, and two New Orleans, one company to remain in the Cherokee country; sixth regiment, seven companies to be sent to the Sabine, near the Opelousas road, three companies to Camp Sabine; the whole of the second regiment of dragoons to be concentrated at Jefferson barracks. You will, therefore, as soon as the circumstances of your command will permit, order the whole of the first and fourth regiments of artillery to Camp Sabine; the whole of the second regiment of artillery and six companies of the third to Opelousas road, to take up the most eligible position near where it crosses the Sabine; one company to Key West, (Captain Childs's,) and two companies to some eligible position near the mouth of the Sabine, which will be selected after the arrival of the regiment at the Sabine. You will understand distinctly that this arrangement of the troops is not to go into effect if it will interfere with your arrangements in reference to Florida, but as far as it will not interfere, you will order the troops to their respective stations, as herein indicated.

I have the honor to be, sir, very respectfully, your obedient servant,

ALEX. MACOMB,

Maj. Gen. commanding in chief.

Major General JESUP,

Fort Dade, Florida.

P. S.—With the regiments of artillery, I wish you to send such howitzers and field-pieces as may be deemed necessary and fit for service on the Southwestern frontier, with the carriages, harness, and other equipments. I wish, especially, that the mountain howitzers be sent to New Orleans, to be one half sent to Fort Gibson, and the other half to Camp Sabine.

A. M., *Maj. Gen. commanding in chief.*

HEADQUARTERS OF THE ARMY,

Washington, April 24, 1837.

GENERAL: A letter has been received here, from the Governor of Georgia, in relation to Colonel Nelson, of the Georgia volunteers, stating that Colonel Nelson was authorized by you to organize a staff consisting of one adjutant, one surgeon, and one quartermaster, for his battalion.

You are requested to send to the headquarters of the army a copy of your order authorizing those appointments, that the Secretary of War may see the propriety of paying those officers.

I have the honor to be, &c.

A. MACOMB,

Maj. Gen. commanding in chief.

Major General THOMAS S. JESUP.

HEADQUARTERS OF THE ARMY,

Washington, April 29, 1837.

SIR: From documents received from his excellency the Governor of Alabama, and from other quarters, it appears that there are many of the Creek Indians still in the swamps and fastnesses of the country occupied by them before the emigration; and, with a view of preventing further calls being made on the militia of the adjacent States, it is thought best to send to Fort Mitchell some of the regular troops under your command, whenever you think you can safely spare them. You will, therefore, order the 4th regiment of infantry thither, or such parts of it as you can spare.

I have the honor to be, sir, very respectfully, your obedient servant,

ALEX. MACOMB,

Maj. Gen. commanding in chief.

Major General THOMAS S. JESUP,

Commanding the army in Florida, Tampa Bay.

HEADQUARTERS OF THE ARMY,

Washington, June 10, 1837.

SIR: I have duly received your several letters acknowledging the receipt of several from me, and stating the slowness of the movements of the Seminoles towards embarking for the West, and your desire to be re-

lieved from the duty of superintending the sending of them off, with permission to leave the command and attend to your private concerns. These letters have been all shown to the Secretary of War. With regard to your leaving Florida until the Indians are sent off, the Secretary could not consent to it, as it would be difficult to supply your place by one so conversant with all the arrangements; and, if the war should be re-kindled, the experience you have had in conducting the operations in Florida is considered as too valuable to be lost by your removal from the command.

I have the honor to be, very respectfully, sir, your obedient servant,

ALEX. MACOMB,

Maj. Gen. commanding in chief.

Major General JESUP,

Commanding the troops in Florida.

HEADQUARTERS OF THE ARMY,

Washington, June 22, 1837.

SIR: Your communication dated Tampa Bay, June 5, 1837, addressed to the Adjutant General, has been received, and submitted to the Secretary of War. The Secretary of War, after duly considering the contents of your communication, has requested me to inform you, that after posting the troops in such stations as to cover the frontier from hostile attacks, as far as this can be done consistently with a due regard to their health, you will be at liberty to return to the performance of the duties of your office as Quartermaster General, at the seat of Government; provided that, on the receipt of this letter, you still desire to be relieved from the command of the army of Florida. The Department of War waits anxiously for your views as to the preparation which you consider necessary for a renewal of hostilities in October, and the successful prosecution of the war, and desirous to know what course you would advise to be pursued with the Creek warriors, as it is deemed important to remove their families as early as practicable to their homes.

I have the honor to be, sir, your obedient servant,

ALEX. MACOMB,

Major General commanding in chief.

Major General THOMAS S. JESUP,

Tampa Bay, Florida.

HEADQUARTERS OF THE ARMY,

Washington, June 30, 1837.

SIR: If you can possibly dispense with the services of the marines, you will order them to their headquarters at Washington. Lieutenant Colonel Miller you will order to Washington on the receipt of this.

I am, with great respect, your most obedient servant,

ALEX. MACOMB,

Major General commanding in chief.

Major General THOMAS S. JESUP,

Commanding the troops in Florida.

HEADQUARTERS OF THE ARMY,

Washington, July 6, 1837.

SIR : I have the honor to acknowledge the receipt of your letter of the 17th ultimo, addressed to the Adjutant General, among other things expressing a desire to visit Kentucky for a few weeks. You no doubt, ere this, will have received my letter authorizing you to leave the command of the army in Florida, and directing you to repair to this city to resume your functions as Quartermaster General. In proceeding to Washington, there is no objection to your taking Kentucky in your route, and spending the time you require in that State.

Wishing you health and prosperity, I remain, with great consideration, yours, &c.

ALEX. MACOMB,

Major General commanding in chief.

Major General THOMAS S. JESUP,

*Commanding the army in Florida,**Garey's Ferry Florida.*

HEADQUARTERS OF THE ARMY,

Washington, August 15, 1837.

GENERAL: Agreeably to instructions from the War Department, I am directed by the General-in-chief to request that you will detail suitable officers to take charge of the clothing depots to be established at Jacksonville and Tampa Bay.

I have the honor to be, &c.

JOHN N. MACOMB,

Aid-de-camp.

Major General JESUP,

Commanding the army in Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, November 8, 1836.

SIR: Your communications of the 16th and 17th of October, from Tampa Bay, have been received, and submitted to the General-in-chief and Secretary of War.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding, &c., St. Mark's, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, November 10, 1836.

SIR: The following-named officers of the army, serving in Florida, have been summoned by Captain Cooper, the special judge advocate of the court of inquiry now in session at Fredericktown, as witnesses in the case ordered to be investigated by that tribunal, pursuant to "general order" No. 65, dated October 3. The summonses were transmitted to the several officers named, through this office, at the request of the judge advocate.

Captain Drane, 2d artillery; Lieutenant McCrabb, 4th infantry; Lieutenant Betts, 1st artillery.

At the verbal request of Captain Cooper, summonses for Major Lomax, 3d artillery, and Lieutenant G. Morris, 4th infantry, were also forwarded through this office. In addition to the above-named officers, the following, not at the time serving with, but belonging to, the Florida troops, have been required to attend, viz:

Brigadier General Eustis, Lieutenant Colonel Bankhead, Colonel Lindsay, Lieutenant J. E. Johnston, Captain Canfield, Captain Waite, assistant quartermaster, and Captain Morrison.

I am, sir, &c.

R. JONES.

Brev. Major General T. S. JESUP,
St. Mark's, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, December 5, 1836.

SIR: Your communications from Tampa Bay, dated the 3d and 6th of November, respectively, enclosing copies of your correspondence with the Governors of Georgia and Alabama respecting a call for an additional volunteer force for the service in Florida, were received on the 29th ultimo, and submitted to the Secretary of War, the General-in-chief being absent at Fredericktown. The transit of these letters appears to have been delayed, as Doctor Elwes informs me that, having been charged with their transmission, they were unintentionally retained in his possession a week or more after his arrival at the North, or before he committed them to the post office at Elizabethtown.

With regard to the supply of recruits to which you advert in your letter of the 3d, it may be proper to remark, for your information, that the recruiting service has never been less successful than in the last twelve months, and especially during the past summer. The whole number of infantry and artillery recruits enlisted for the general service in the Eastern department, inclusive of the 1st of October, is but 585; of which number only 85 have been sent to any Northern station, and they have gone to the Upper Mississippi for the 1st regiment of infantry: 252 recruits have been assigned to companies ordered to Florida and the Creek nation, inclusive of the month of June; and 34 to the company of the 4th infantry, serving in the Cherokee country, at Camp Cass.

On the 19th of November, Lieutenant Colonel Foster reported that he should leave New Orleans with about 90 recruits for the 4th infantry;

and on the 15th of that month, Colonel Cutler was instructed, as you have already been apprized, to detach 119 recruits for the same regiment in Florida, as soon as they could be collected, which will complete its establishment.

Of the 173 infantry recruits enlisted in the Western department, inclusive of October 1st, 149 have been sent to the 4th regiment of infantry serving in Florida, and 45 were assigned to the 6th infantry when ordered from Jefferson barracks to the frontiers of Louisiana.

It will be seen by "general order" No. 80, that 550 recruits have been called for, for the artillery companies now serving in Florida; but I regret to add, it is impossible to say how soon this reinforcement may reach its destination; for notwithstanding the continued efforts of all the recruiting officers engaged in the service, the accession of numbers for the foot is yet slow.

The superintendent has been instructed to send off detachments in small parties of 50 or 60 to Florida, without detaining them for greater numbers.

I acknowledge the receipt of your field report of the troops at Fort Brooke, Tampa Bay, on the 3d of November. With reference to the subject of field returns, I respectfully require your attention to my letter dated the 3d of June, and would now ask that you may forward such monthly returns, if it be practicable, of the *Tennessee volunteers*, and of the *volunteers or militia* from other States who may have been under your command during your service in the Creek nation. And I also respectfully request that monthly returns of the volunteer force now *serving* in all Florida, distinguishing the States and Territories to which they severally belong, may be forwarded for the information of the General-in-chief and War Department, with as little delay as practicable. These returns are now the more necessary, as full returns never have been furnished by either of your predecessors commanding the army, either in the Creek or Florida campaigns.

The printed blank returns furnished you in June appear not to have been used; I, nevertheless, send a few more of the same description for field use.

I do not speak of the regular force; its situation and condition have been, generally, regularly reported. In meeting the inquiries of the Secretary of War, as to the volunteer force serving in Florida, I have had resort to such data as I have been able to obtain, relying chiefly on the muster-rolls forwarded by the mustering officer; but I have no assurance that the rolls of all companies mustered into service have been forwarded to the Adjutant General's office. The certainty as to *all* the force operating in the field, is only to be obtained from returns forwarded by authority of the Commanding General.

A consolidated general field return of *all* the force, army, marines, volunteers, and Indians, serving in Florida, say on the 30th of *November*, is called for by the Secretary of War, which it is hoped it may be in your power to furnish, although I am well aware, for want of a proper staff, commanders in the field have it not in their power always to comply with the regulations touching reports, returns, &c.; and it is owing to this circumstance, no doubt, that general headquarters have not been regularly furnished with copies of the "orders" and "special orders" issued by you (as is the case with other commanders) while in command in the Creek nation.

Nos. 49 to 57, inclusive, and No. 59, are all that have been received at this office; the omitted numbers of the series of the Creek campaign are now requested to be forwarded, as soon as convenient, for the information of the General-in-chief.

I am, sir, &c.

R. JONES.

Maj. Gen. THOS. S. JESUP,

Commanding the army in Florida, Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, December 31, 1836.

SIR: I have the pleasure to acknowledge the receipt of the following communications from your headquarters, since the date of my last letter of December 5th. I enumerate them in the order of their receipt, viz :

1st. Your letter, dated Tampa Bay, November 20th, referring to the arrival of the second detachment of the Alabama battalion, &c., received *December 17th.*

2d. Letter dated November 21st, transmitting copies of your correspondence with the late Colonel Walker, relative to a mistake in a report of Major General Scott, &c., which, agreeably to your request, are placed upon the files of the office; received *December 17th.* As in a former like case, respecting mistakes in one of his official communications from Florida, I have on this occasion forwarded copies of these papers to Major General Scott.

3d. Letter dated November 18th, reporting your readiness to take the field, but delayed for the want of transportation, and reporting the arrival of the last detachment of the Alabama volunteers, &c.; received the 21st *December.*

4th. Letter of November 27th, from Tampa Bay, transmitting papers in relation to the election of Charles Irvine to be captain of Washington volunteers.

5th. Letter of November 28th, from Tampa Bay, reporting the embarkation of the troops for the Withlacoochee, &c.

6th. Letter dated 12th December, from Volusia, suggesting the ordering the 6th infantry to Florida, reporting the near approach of the expiration of the period of service of the Tennessee brigade,* &c. These last three letters were respectively received on the 24th *December.*

7th. Letter dated 5th December, from Volusia, reporting the progress of your operations, and your having joined General Call on the night of the 4th instant, &c., received 30th *December,* (yesterday.)

These several communications have all been submitted to the Secretary

* The Secretary of War having understood that the time of the Tennessee brigade would not expire until the 1st of January, when making out his annual report, inquired of me if this was so. To which, after directing the examination to be made, I answered in the affirmative. This, however, may not have been exactly correct; for, although the official *brigade return*, including twenty companies, forwarded by Captain Kingsley, the mustering and inspecting officer, specified the "1st of *July*, 1836," as the time of the commencement of the service of the brigade; yet it would appear, on further examination, by the muster-rolls, that only *twelve* companies would continue to the 1st and 2d of January, 1837, *four* to the 25th of December, *one* to the 18th, *one* to the 17th, and *two* to the 16th of the same month.

of War, and subsequently to the General-in-chief, on his recent return to headquarters.

Copies of orders and instructions directing the 2d regiment of dragoons and the two companies of artillery, recently organized at Forts Hamilton and Monroe, first instructing this force to be held in readiness to proceed to Florida at the shortest notice, and subsequently directing it to proceed to join the army in Florida without delay, have been duly forwarded from this office for your information, by which you will perceive, that your suggestions touching the reinforcement of your command by the new regiment of dragoons had been anticipated by the Secretary of War.

This auxiliary regular force will consist of six companies of dragoons of sixty men each, and two full companies of artillery—say 450 men. Brevet Lieutenant Colonel Fanning has been ordered to conduct this detachment to the seat of war, and, having left Washington on the 21st instant for Fort Monroe, is now, it is supposed, in Charleston, with instructions to push forward the companies with all despatch. Those from New York sailed on the 28th. Lieutenant Colonel Harney, of the 2d dragoons, arrived yesterday from the West, and departs this day for Florida, as will also Major Fauntleroy.

On the 23d instant, I received a letter from the Governor of South Carolina, transmitting a copy of your communication to his excellency, dated Volusia, Florida, December 9, in which you make a requisition for a battalion of infantry of five companies. The despatch was promptly laid before the Secretary of War; who having approved of the measure, all necessary orders were immediately communicated to the proper departments to expedite and facilitate the mustering into the service of this force, and its movement to Florida in the direction of your headquarters.

I herewith respectfully transmit a copy of my communication of the 27th instant, addressed to Brevet Brigadier General Arbuckle, the officer in command of the frontiers of Louisiana and Arkansas, by which you will perceive that the state of the service in that quarter does not justify the withdrawal of the 6th regiment for the proposed service in Florida; and accordingly, the Secretary of War has directed the countermarch of that regiment, should it have been put in motion for the East, by orders from any quarter; of which circumstance, however, no official intelligence has, at yet, been communicated to this office or to the War Department.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Com'g army in Florida, Fort Drane.

ADJUTANT GENERAL'S OFFICE,
Washington, January 25, 1837.

SIR: In reply to your letter of the 27th of December, relative to the term of service of the Washington city volunteers, I have to state, that it was understood at the time of muster into service that they were to serve for *twelve* months, unless sooner discharged.

The muster-roll of the company, tendering its services, was sent by the officers direct to the President, for his acceptance, and afterwards to the

War Department, upon which the men were mustered into service ; but the roll does not specify the time, although there is no doubt, as before mentioned, that it was for *twelve* months.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, February 9, 1837.

SIR : I have the pleasure to acknowledge the receipt of the following communications from your headquarters, since the date of my letter of the 31st December. I enumerate them in the order of their receipt, viz :

1st. "General orders," from No. 20 to 30, inclusive, respectively dated the 8th, 10th, 10th, 11th, 19th, 21st, 23d, 24th, 27th, 28th, and 30th December ; received January 19th.

2d. Your letter from Tampa Bay, of January 1st, reporting your intention to join the troops in the interior, &c. ; received January 23d.

3d. "General orders" Nos. 31, 32, and 33, dated, respectively, the 1st, 2d, and 5th of January ; received 2d February.

4th. Letter from Fort Armstrong, Florida, of January 10th, reporting the capture of sixteen Indian negroes, &c. ; received February 4th.

5th. Letter from "Ouithlacoachie," of January 12th, reporting the capture of thirty-six more negroes, and your intended movements, &c. ; received February 4th : and, also, "general orders" No. 34, 35, and 36, dated, respectively, the 8th, 9th, and 10th of January ; received on the same day.

Forty recruits sailed on the 6th instant for the two companies of the 2d infantry, under Major Dearborn. It was not known that his command had been ordered from Irwinton, Georgia, to Florida, until the receipt of your order No. 23, of the 11th of December, on the 19th of January. On the 23d of January, 113 recruits for the artillery sailed for Tampa Bay, under Captain Mallory, of the 2d regiment of artillery ; and now 100 more are reported by Colonel Cutler to be ready. This detachment will be commanded by First Lieutenant Johnson, of the artillery, who will enter Florida *via* the St. John's.

The Secretary of War entirely approves of your detaining the 6th infantry in Florida, and authorizes you to hold it under your command as long as you may deem it necessary.

Your letters from the scene of your operations, respectively dated the 17th, 20th, and 21st of January, with "orders" Nos. 37, 38, 39, 40, 41, and 42, dated 16th, 16th, 17th, 18th, 19th, and 20th, have this day been received, and submitted to the Secretary of War. I also acknowledge the receipt of a letter from Colonel Stanton, from Fort Armstrong, dated January 20th, enclosing "orders" Nos. 1, 2, 3, and 4, respectively, dated the 9th, 10th, 11th, and 12th June, 1836, in which is acknowledged the receipt of my letter of the 5th December.

I am, sir, &c.

R. JONES.

Brevet Major General T. S. JESUP,
Commanding the army in Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, February 28, 1837.

SIR : I have the pleasure to acknowledge your communication of the 7th instant, reporting the recent operations of the army in Florida, together with Colonel Henderson's report of the 28th of January ; which have been duly submitted to the Secretary of War and General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding the army in Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, May 9, 1837.

SIR : I herewith, by direction of the General-in-chief, forward a copy of my letter of this date to Lieutenant Colonel Harney, of the 2d dragoons, on the subject of his order to Captain Gordon, an officer serving with his company at the time in Florida, to leave the field and repair to Washington, and there report to his colonel. The General desires that you examine into this procedure of Lieutenant Colonel Harney, touching the matter, and that you will be pleased to take such measures in the case as due regard to the discipline of the army may demand.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, March 14, 1837.

SIR : I have the pleasure to acknowledge your communications of the 13th and 27th February, enclosing "orders" numbered from 42 to 57, inclusive, and No. 59, and "special orders," from No. 1 to 18. I have received your letter of the 17th February, reporting your operations since the 7th, together with an extract of Lieutenant Colonel Fanning's report of the affair on lake Monroe, which have been duly submitted to the General-in-chief and Secretary of War.

Lieutenant Colonel Fanning's report of the affair of the morning of the 5th of February, was received direct from him on the 28th of February.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding the army, &c., Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, March 14, 1837.

SIR : The Chief Engineer has reported to the Secretary of War that the dredgeboat belonging to the Engineer department, and intended to be

used in the improvement of the inland pass between the St. Mary's and St. John's rivers, has been removed for the purpose of deepening the channel near lake George. The Secretary now directs that said boat, after effecting the latter object, be returned to its proper position, in good order, without expense to the appropriation for the above-mentioned improvement.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Fort Armstrong, Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, March 18, 1837.

SIR : Your communication of the 25th February, detailing your recent conference with the Indians, and your contemplated operations, has this day been received, and submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding at Fort Dade, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, March 22, 1837.

SIR : I have the pleasure to acknowledge the receipt of your orders numbered from 5 to 70, of the series issued during the campaign against the Creek Indians in 1836, under cover of Lieutenant Chambers's letter of the 25th of February; and, with the exception of order No. 62, your orders Nos. 60 and 61, and special orders from 19 to 39, inclusive, of the series of the Seminole campaign; and, also, your communication of the 1st of March, enclosing the letter of Colonel Henderson, in favor of Captain Howle, &c. All of which have been duly submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army in Florida, Fort Dade.

ADJUTANT GENERAL'S OFFICE,
Washington, March 23, 1837.

SIR : I have the satisfaction to acknowledge the receipt of your official despatch of the 6th instant, from Fort Dade, announcing the successful termination of the Seminole campaign, together with a copy of the articles of capitulation, by which it is seen that the Indians are immediately to emigrate to the country assigned to them west of the Mississippi, by the treaty of Payne's Landing. The documents have been laid before the

General-in-chief, and I congratulate you and the gallant army under your command on the termination of Indian hostilities in Florida. I hope that matters there will soon be settled, and that your companions may speedily return in health and happiness to their families and stations.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding the army in Florida, Fort Dade.

ADJUTANT GENERAL'S OFFICE,

Washington, March 24, 1837.

SIR: I have the pleasure to acknowledge the receipt of your "orders" numbered from 71 to 90, of the series issued during the campaign against the Creek Indians in 1836, under cover of Lieutenant Chambers's letter of the 5th instant.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding in Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, April 5, 1837.

SIR: I acknowledge the receipt of your "orders" numbered from 91 to 101, of the series issued during the campaign against the Creek Indians in 1836, under cover of Lieutenant Chambers's letter of the 10th March; and, also, your letter of the 11th of the same month, transmitting the proceedings of a board of officers in relation to the death of Sergeant Edward Silk, late of company H, 6th infantry: which have been duly submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding the army in Florida, Fort Dade.

ADJUTANT GENERAL'S OFFICE,

Washington, April 6, 1837.

SIR: Your despatch of the 18th March from Fort Dade, with the document therewith, signed by the chief, Micanopy, assenting to the articles of the treaty entered into with the chief of the Seminoles, and in relation to other Indian matters, has been received and submitted to the Secretary of War and General-in-chief. As soon as I am authorized to give a specific answer to your suggestions respecting the officers named for Indian service, &c., it shall be despatched.

I acknowledge also the receipt of your letter of the 16th March, enclosing copies of your official letters from the 10th of September to the 6th of October, which shall be placed on the files of the Adjutant General's office.

Two letters from your aid, Lieutenant Chambers, dated 12th and 19th March, respectively, transmitting your special orders from 1 to 71, inclusive, issued in the Creek nation in 1836, and copies of your official letters from the 6th of October to the 7th of November, 1836, were also received by the last mail.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Fort Dade, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, April 10, 1837.

SIR: The General-in-chief having examined the proceedings of the board of officers ordered to inquire into and ascertain the causes which led to the death of Sergeant *Edward Silk*, of the 6th infantry, considers it proper to deliver the soldier who caused the death of the sergeant to the civil authority for trial.

I am, sir, &c.

R. JONES.

General JESUP,
Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, April 15, 1837.

SIR: The Commissary General of Subsistence having called for an officer for duty in his department at Key West, should the company which has been designated (Brevet Major Childs's, 3d artillery) as a garrison for that station at the close of the campaign be not soon ordered thither, you will in that event please direct one of the subalterns to repair to the station for duty there, as requested by General Gibson.

I am, sir, &c.

R. JONES.

THOMAS S. JESUP,
Major General, Commanding, &c., Tampa Bay, Fl.

ADJUTANT GENERAL'S OFFICE,
Washington, April 17, 1837.

SIR: I have the pleasure to acknowledge the receipt of your communication of the 26th March, reporting the arrival of many of the Seminoles at Tampa Bay, &c., which was duly submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army in Florida, Tampa Bay.

ADJUTANT GENERAL'S OFFICE,

Washington, April 24, 1837.

SIR: I have the pleasure to acknowledge the receipt, on the 22d instant, of the returns of the regular and militia forces respectively under your command, in Florida, according to the strength exhibited on the 28th of February; and copies of your official letters from the 15th January to 6th March, inclusive, under cover of Lieutenant Chambers's letters of the 28th and 31st March. I have also received your letter of the 28th of the same month, reporting an omission in your report of the affair of the 27th January, at the Halchee Lustee, and that of the 29th, with Colonel Henderson's letter of the 29th of March, correcting his report of the 28th January: all of which have been duly submitted to the General-in-chief, and will be placed on the files of this office.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Commanding the army, Fort Dade, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, April 26, 1837.

SIR: On referring to the records, I find that I have omitted to acknowledge the receipt of "orders" from 62 to 71, inclusive, and "special orders" from 40 to 51, inclusive, issued from your headquarters. These were duly received on the 12th instant, and submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General JESUP,

Commanding, &c., Tampa Bay, Florida.

NOTE.—I have also to acknowledge the receipt of copies of "orders" from your headquarters from 72 to 80, inclusive, and also copies of your official letters between the 6th and 19th March, 1837, under cover of Lieutenant Chambers's letter of the 1st instant.

ADJUTANT GENERAL'S OFFICE,

Washington, May 10, 1837.

SIR: Your letter of the 23d April, transmitting a paper concerning the refusal of the Florida volunteers to obey their commander, with a request that it be placed on file in this office, has been received.

This has been done, and the letter on Indian affairs submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,

Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, May 30, 1837.

SIR: I have the pleasure to acknowledge the receipt from your headquarters of "orders" No. 81 to 99, inclusive; also, "special orders" from 52 to 68; copies of letters from the 3d to the 24th of April, inclusive; and sundry courts-martial proceedings in cases of soldiers in Alabama and Florida.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army, &c., Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, May 31, 1837.

SIR: I acknowledge your communication of the 8th instant, (received at the office during a temporary absence,) which reports that Powell and other Seminole chiefs had surrendered at Fort Mellon, and were soon expected to arrive at Tampa Bay. With reference to your very just remarks relative to absent officers, I may here repeat what I had occasion to say to Governor Call in my letter of the 25th of July, 1836, which, in substance, is: That it would be seen the subject had not been overlooked in this office; that I had frequently taken special care to well inform the proper authorities of the great deficiency of officers for duty in the field, &c.; and that other public interests besides the army being, it was said, entitled also to consideration, I did not see that the evil was likely soon to be remedied, severely as it was felt, and as often as it had been complained of, by the comparatively few officers serving with the troops and the commanders in the field, &c. No officer, not serving in the field, more sensibly feels, in the execution of his official duties, the inconvenience, and no one more deeply regrets the continuance, of a system which abstracts so large a portion of officers from *duty with their companions*, than I do; and the records abundantly show the reiterated efforts and measures which have been attempted at this office to afford service in the *line* the requisite relief. But I have recently been forced to come to the conclusion that these efforts are of little or no avail, and that it would be even more agreeable to my superiors that I should desist from a repetition of them. I have, therefore, considered it most proper on my part to say nothing more touching the subject of *absent* officers, or as respects the *mode* of applying for and making the *selections*, (I cannot call it details,) when called for and ordered on detached service. All that the Adjutant General can now do, as to your request touching the subject of absent officers, is, to repeat to you what, on a like occasion, I informed Colonel Lindsay in my letter of the 22d May, 1835, to wit: "and all I can do in this instance is, to lay your letter before the General-in-chief," &c. On this occasion I would respectfully refer you to my communication on the same subject, dated 10th August, 1836.

As respects the short leave of absence (three months) granted to Captain Mallory, on the tender of his resignation, when he solicited a much greater period of indulgence, there was no knowledge at general head-

quarters that he had given any assurance of his immediate exit from the service ; and it being seen that he withdrew from the army on the surgeon's certificate of disability, and, moreover, as he had long and faithfully served in the army, the three months' leave granted him was deemed to be only reasonable. Should he not proceed to join his company at its expiration, of course his resignation must take effect.

I respectfully request your attention to the condition of Captain Van Ness's *company* (H) of the 1st *artillery*. The colonel (General Eustis) reports that, in consequence of the failure of the company commander (if any there be) to forward the *company monthly returns*, he has been unable to complete the monthly regimental returns ; and this is the case with all his returns received since, and inclusive of, December last. I will, therefore, thank you to take the proper measures which may ensure the transmittal to this office, and to the headquarters of the regiment, proper returns of the company for each month respectively, inclusive of December, 1836, to supply the present deficiencies in the records.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army in Florida, Fort Dade.

ADJUTANT GENERAL'S OFFICE,
Washington, June 2, 1837.

SIR : I acknowledge the receipt of the continuation of the series of your "orders" and "special orders," from No. 100 to 106 of the former, and from 69 to 72, inclusive, of the latter.

Also, copies of your official letters, inclusive of the 13th and 15th of May ; also, sundry letters and papers setting forth the reasons for granting leaves of absence to the following-named officers, to wit : Lieutenant Colonel *Crane*, Lieutenant Colonel *Foster*, Lieutenant Colonel *Fanning* ; Captains *Lyon*, *Hutter*, *Mallory*, *Demick* ; Lieutenants *Dusenbury*, *Kennedy*, *Rose*, *Allen*, *Donaldson* ; Doctor *Martin* and Lieutenant *Madrox*, of the Washington volunteers : all of which have been laid before the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, June 8, 1837.

GENERAL: The resignation of Lieutenant R. C. Smead, 4th *artillery*, dated Fort Call, Florida, May 6, having been forwarded by your direction, under cover of Aid-de-camp Chambers's communication of May 12 ; and the same having been accepted and subsequently revoked, I enclose,

herewith, for your information, copies of the official letters written upon the subject.

I am, sir, &c.

R. JONES.

Bvt. Major Gen. T. S. JESUP,
Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, June 8, 1837.

GENERAL: Your communications, under date of the 5th and 17th ultimo, in relation to the scarcity of field and medical officers under your command, and the tardy movements of the Indians, were both received on the 5th instant, and have been submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Bvt. Major Gen. T. S. JESUP,
Commanding army, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, June 10, 1837.

SIR: I have the pleasure to acknowledge copies of sundry official letters, dated from the 5th to the 28th of June, 1836, inclusive, (relating to your late Creek operations in Georgia and Alabama,) which were received on the 7th, under cover of your communications of the 20th and 21st ultimo, and have been placed on file.

I am, sir, &c.

R. JONES.

Major Gen. JESUP,
Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, June 17, 1837.

SIR: I have the pleasure to acknowledge copies of sundry official letters, dated from the 30th June to 9th July, 1836, inclusive, (Creek campaign;) and also copies of your correspondence, dated from the 15th to the 25th May, 1837, inclusive, with copies of orders from No. 107 to 112, inclusive, received on the 15th instant: all of which have been laid before the General-in-chief.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,
Commanding, &c., Tampa Bay, Florida.

NOTE.—Your communication of the 23d of May, enclosing the report of Major Wilson, has this day been received and submitted.

ADJUTANT GENERAL'S OFFICE,

Washington, June 19, 1837.

SIR: Your communication of the 5th instant, reporting that the Seminole Indians had failed to emigrate to the West, and that the campaign has terminated for the season, has been submitted to the Secretary of War and General-in-chief. In expressing the regret which is felt by us all, on receiving this intelligence of the bad faith of the Seminoles, I feel assured, general, that your indefatigable exertions, the proper measures adopted and zealously pursued by you, deserved the successful issue heretofore expected and hoped for.

I shall, agreeably to your request, remind the Secretary and General-in-chief of your desire to be relieved from the command.

I am, general, &c.

R. JONES.

Major Gen. T. S. JESUP,

Commanding the army in Florida, Fort Brooke.

NOTE.—Please send me consolidated returns of the army.

ADJUTANT GENERAL'S OFFICE,

Washington, July 1, 1837.

SIR: I have the pleasure to acknowledge copies of sundry of your official letters, dated from the 10th of July to the 17th of August, 1836, inclusive, (Creek campaign;) copies of "orders" from No. 113 to 115, "special orders" from No. 73 to 78, present series, inclusive; and your communication of the 5th June, transmitting the application of Major Thompson for leave of absence: all of which have been laid before the General-in-chief.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,

Commanding the army, Florida, Tampa Bay.

ADJUTANT GENERAL'S OFFICE,

Washington, July 11, 1837.

SIR: Your letter of the 17th of June, reporting your intended movements, and suggesting the needful preparations for the service in Florida, &c., was received on the 5th of July, during my temporary absence from the office. On laying the same before the General-in-chief, and conversing with him upon the various topics mentioned, I perceive that it had already been before him, and been answered in his own proper name on the 6th instant.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,

Commanding, &c., Black Creek, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, July 14, 1837.

SIR: I have the pleasure to acknowledge, under cover of your letter of the 22d ultimo, copies of your official correspondence during the Creek campaign, dated from the 17th to the 29th of August, 1836, inclusive, which have been placed on the files of the office.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,

Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, July 15, 1837.

SIR: Captain Crossman this morning informed me that you had not received a copy of the Revised Regulations for the army. The object of this is to state, that at the time they were issued a supply sufficient for the several officers of the Quartermaster General's department was furnished to the acting Quartermaster General, with a view to their direction and distribution; but it seems, on inquiry, that the copy designed for you was not forwarded. You will please to keep the copy which Captain Crossman says he left in your possession, he having been supplied with another from this office.

Copies of the Regulations for many officers in Florida are yet retained in this office, lest they may not reach their destination. They are only forwarded from time to time, as I am assured of the officers' posts.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,

Garey's Ferry, Florida.

NOTE.—I, however, had been under the impression that you had been furnished *direct* from this office, as a commanding general in the field, and knew not to the contrary until this morning.

R. J.

ADJUTANT GENERAL'S OFFICE,

Washington, July 21, 1837.

SIR: Your communication of the 10th instant, on the subject of the reduced strength of the companies serving in Florida, and of the want of recruits to fill them, has this day been received; and I am happy to inform you that efficient measures have some time since been adopted, which it is believed will ensure an adequate supply for the several regiments that may take the field in October, should hostilities against the Seminoles be then renewed. The concentration and instruction of recruits at Fort Monroe, as you will have seen by "general order" No. 43, dated 24th June, 1837, has direct reference to the Florida service. Already there are

near 500 men assembled, and in a few weeks more there will not be less than 1,000, and probably by the middle of September more than 1,500. At the date of "general order" No. 39, (June 13, the order countermanded by No. 43,) there was every reason to believe that the war in Florida was certainly at an end; and hence it was then deemed inexpedient to order recruits thither at such a season, when most of the regiments there were expected soon to be withdrawn and remanded to their permanent stations.

Should you deem it necessary to fill the ranks of any particular companies quartered at comparatively salubrious stations, earlier than October, your wishes, on being communicated, would doubtless be complied with. I mention this, that you may be apprized of the intention of the Department not to order the recruits to Florida at an earlier day than would be necessary to resume your military operations in the autumn; and which may also supersede the necessity of consolidating companies, as suggested in your communication; which measure, the General-in-chief would prefer should not be adopted whenever avoidable.

I am, sir, &c.

R. JONES.

Major Gen. T. S. JESUP,
Commanding, &c., St. Augustine, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, August 12, 1837.

SIR: I acknowledge the receipt, at this office, on the 24th ultimo, of copies of your official correspondence, from the 27th of May to the 15th of June, and from the 15th to the 25th of June; and, on the 2d instant, further copies of the same, from the 20th of June to the 24th of July; also, on the 2d instant, copies of "orders" No. 126 to No. 141; and, on the 5th instant, orders from No. 142 to No 153, and special No. 87 to 97.

With respect to the transmittal of copies of your orders and special orders, I respectfully request that, whenever practicable, these may be forwarded within a day or two after their respective dates; as the official information thus communicated, touching the disposition of troops, and the movement and change of station of the officers, is often very useful, and sometimes important to be known at general headquarters at the shortest interval after the issuing of such orders.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Tampa Bay, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, August 19, 1837.

SIR: Your communications, respectively dated the 24th, 25th, and 26th July, have been received, and duly submitted to the Secretary of War; and will be laid before the General-in-chief on his return to head-

quarters. Your suggestions relative to the recruiting service have been attended to, by giving the necessary instructions to establish additional rendezvous in the country, including two or three to be opened in the upper part of the States of North and South Carolina. The pressure of the times, to which you advert, is but little felt, if any, in the interior; and we find that our success in obtaining recruits is, for the most part, confined to the large cities, and parts of the country thickly populated in manufacturing districts. The selections you propose, to fill up Captain Ringgold's company, I think can be best made on the arrival of any body of recruits in that section of Florida in which the captain, with his company, may be serving.

You will please to give the necessary orders. We have about one thousand recruits under instructions at Fort Monroe.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, August 21, 1837.

SIR: I have the pleasure to acknowledge the receipt of your letter of the 2d instant, enclosing the copy of a report from Lieutenant Colonel Cawfield, of the Alabama volunteers, dated July 15, 1837, and copy of a letter from Captain L. H. Galt, dated July 24, 1837; all of which have been submitted to the General-in-chief.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, August 24, 1837.

SIR: Your several communications from Garey's Ferry, respectively dated the 6th, (two,) 7th, and 13th instant, with the accompanying documents, have been duly received, and submitted to the General-in-chief. With regard to the establishment of clothing depots in Florida, I have the pleasure to say that the subject has been anticipated, and your wishes fully met, as you will see by general orders No. 52, dated 16th instant, a duplicate of which is herewith respectfully transmitted.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, September 1, 1837.

SIR: Your letter of the 28th July, in relation to the accounts of Lieutenant George Watson, 1st artillery, acting commissary of subsistence,

with his accompanying explanatory communication, has been received, and referred to the Commissary General of Subsistence, who states that the explanations are perfectly satisfactory. The order of July 5th, directing him to be relieved, is accordingly considered as revoked.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, September 6, 1837.

GENERAL: The proceedings of the general court-martial in the case of private *Robert Hayland*, 2d regiment dragoons, received under cover of your communication of the 31st July, have been submitted to the General-in-chief and Secretary of War.

The proceedings are herewith, by direction of the Secretary of War, respectfully returned; who recommends that the court may be reconvened, and its findings and sentence be reconsidered, as these are deemed to be inconsistent with the law. If the court were of the opinion that the prisoner ought to suffer death, it would seem that he should have been convicted of the crime as specified in the charge, since the sentence pronounced in the case does not appear to be sanctioned by the 7th article of the Rules and Articles of War, in which are not to be found the words "*mutinous conduct*;" the modified crime substituted by the court in its findings for the charge of "*mutiny*." But, if the court persist in its findings, then the punishment to be awarded in the case should only equal the measure of the crime so modified.

The case appears to be an aggravated one, and the discipline and the good of the service require that such an offender should not escape the just punishment his high demerit would seem to demand. It is not a little surprising that the court should have awarded the highest punishment known to our military code, while it would not admit that the prisoner had been guilty of a crime of the highest order.

I am, sir, &c.

R. JONES.

Major General T. S. JESUP,
Commanding the army in Florida, Garey's Ferry.

Copies of letters from the Secretary of War to Major General Thomas S. Jesup, in relation to the Florida war, from November 4, 1836, to October 4, 1837, inclusive.

WAR DEPARTMENT, *November 4, 1836.*

SIR: Before this communication reaches you, you will have become fully acquainted with the retrograde movements of Governor Call, and the other events connected therewith, which have recently occurred in Florida. These circumstances have, for a time, suspended offensive oper-

ations ; and, from the feeble state of Governor Call's health, it is to be feared that he will not be able to prosecute the campaign, when resumed, with that promptitude and energy which the crisis demands. The President has therefore determined to commit to you the command of the army serving in Florida, and the general direction of the war against the Seminoles.

You will accordingly, on the receipt of this communication, should you then be at Governor Call's headquarters, (and, if not, so soon as you can reach there, or can communicate with him,) assume the command of all the forces in the Territory.

The hostile Indians having been discovered in considerable force on the banks of the Withlacoochee, and it having been also ascertained that their principal camps and settlements are situated on the south side of that river, you will immediately make all suitable arrangements for a vigorous attack upon their strongholds, and for penetrating and occupying the whole country between the Withlacoochee and Tampa Bay. With a view to this end, you will first establish posts at or near the mouth of the Withlacoochee, at Fort King, and at Volusia ; and you will take the proper measures for securing, through them, the safety of the frontier. You will, also, through the same posts, and by such means of transportation as may be most certain and economical, make permanent arrangements for procuring sufficient and regular supplies. So soon as those dispositions shall be completed, you will concentrate all your disposable forces, and proceed, without delay, to cross the Withlacoochee, and to possess yourself of the positions now occupied by the Indians ; attacking and routing them in their strongholds, and scouring the whole country between the Withlacoochee and Tampa Bay.

Should you succeed in bringing the Indians to a general engagement, and in defeating them therein, the ready submission of the tribe may probably be expected. If, however, they should abandon their present position on the Withlacoochee before you reach it, or you should drive them from it, without entirely subduing them, you will then take such advanced positions to the south of Volusia, and to the east and south of Tampa Bay, as the nature of the country may admit, and push from them such further operations as may be necessary to the most speedy and effectual subjugation of the enemy.

The above direction to attack the enemy in his strongholds, and to possess yourself of the country between the Withlacoochee and Tampa Bay, you will regard as a positive order, to be executed at the earliest practicable moment. In other respects, you will exercise a sound discretion, and will adopt such measures as you may deem best calculated to protect the frontiers, and to effect the subjugation and removal of the Indians.

Great confidence being reposed in your prudence, energy, and skill, it is deemed unnecessary to urge you to promptitude or activity, or to impress on you the importance of early and frequent communications.

B. F. BUTLER.

P. S. Since preparing the foregoing despatch, your letters to the Adjutant General, of the 16th and 17th ultimo, announcing your arrival at Tampa Bay, and your intended departure on the 18th, with three companies of artillery, to the mouth of the Withlacoochee, in order to join the Indian warriors at that place, have reached here. These despatches,

though they excite some apprehensions as to the safety of your detachment, do not make it necessary to alter the above. I have also just received, and enclose for your perusal and consideration, a memorandum from the acting Quartermaster General, prepared in reply to certain inquiries made by me, in respect to the best mode of transporting supplies, &c. in Florida. The President concurs, in general, in the views stated in this paper, and it may, perhaps, furnish some suggestions which may be of service to you hereafter.

B. F. BUTLER,
Secretary of War ad interim.

Major General THOMAS S. JESUP,
United States army, Florida.

WAR DEPARTMENT, *November 5, 1836.*

SIR: I have the honor to enclose duplicates of a despatch, and accompanying paper, transmitted to you yesterday via Charleston, Black creek, and the headquarters of General Call.

Learning, by a communication this day received by the acting Quartermaster General, that, in consequence of the state of affairs referred to in the enclosed, you had repaired to St. Mark's, Captain Canfield, the bearer hereof, has been directed to proceed express to that post, for the purpose of giving you the earliest information of the duties assigned to you.

All needful measures, in regard to supplies, officers, and surgeons, within the control of this Department, have already been taken in compliance with, or in anticipation of, your various suggestions on those subjects.

B. F. BUTLER,
Secretary of War ad interim.

Major General THOMAS S. JESUP,
St. Mark's, Florida.

WAR DEPARTMENT, *January 4, 1837.*

SIR: I have the honor herewith to transmit to you a printed copy of the documents accompanying the President's message, among which you will find the annual report from this Department. In that document you will perceive that I have recommended an increase of the pay of all officers below the grade of colonel. My attention had been called to the subject before I had the honor to receive your communication of the 31st of October, enclosing the letter from the officers of the army under your command; but the representations in those papers had justly much influence in determining me to bring the matter before the President and the Legislature.

The suggestion, as to the justice of granting a land bounty to all the officers and men who shall have served in Florida, meets my entire concurrence; but, as such a proposal will be much more likely to pass after the conclusion of the war than at the present session, I deem it most useful to all concerned not to propose it now.

The request for a modification of general order No. 58 will receive due consideration, and the result will be communicated to yourself.

B. F. BUTLER.

Major General THOMAS S. JESUP,
Volusia, Florida.

WAR DEPARTMENT, *January 4, 1837.*

SIR: Your letter of the 5th ultimo, announcing your arrival at Volusia, and your receipt of a copy of the instructions of this Department of the 4th November last, was not received until the 30th ultimo. I had, however, previously received your letters of the 9th and 12th ultimo, and by them had been informed of your arrival at Volusia, and your assumption of the command of the army.

As an act of justice to Governor Call, as well as to yourself, I have caused several extracts from those parts of your letters in which you speak of the great difficulties encountered by him, and of those with which you are obliged to contend, to be inserted in the *Globe* newspaper.

I have also the honor, on the present occasion, to acknowledge the receipt of your letters of October 23d and November 6th; the first received on the 11th and the last on the 29th of November.

The instructions of this Department of the 4th November, and the measures subsequently taken, and of which the Adjutant General has kept you advised, will probably have met, so far as was necessary, the various points embraced in these, and in your subsequent communications.

The instructions of the 4th of November were prepared on the supposition that they might reach you, and that you might assume the command before the resumption of the campaign, and whilst the enemy might be yet intrenched in the cove of the Withlacoochee. In that state of things, it was believed that the establishment of posts at Fort King and Volusia, as well as at the mouth of the Withlacoochee, would be found indispensable to operations on that river; but it was not intended to make the order, in respect to those posts, a positive one, nor to require their continuance after they should cease to be required by the necessities of the service. You will therefore, hereafter, exercise your own judgment in relation to these and to other posts; and, whilst you will adhere, in general, to the plan of operations indicated in the letter of the 4th November, you will consider yourself at liberty to adopt such measures, and to pursue such course in the execution of them, as the means at your disposal may allow, and as you may deem most likely to accomplish the objects of the campaign.

B. F. BUTLER.

Major General THOMAS S. JESUP,
Volusia, Florida.

WAR DEPARTMENT, *February 11, 1837.*

SIR: I had the honor on the 8th instant to receive your letters of the 19th and 21st ultimo. Those of the 23d of December were received on

the 16th ultimo, and published for the information of Congress and the nation. This has also been done with several letters, or parts of letters, since received; and, with proper limitations, this course seemed necessary to meet the public solicitude.

Your determination, in respect to those companies of the 6th infantry which have arrived in Florida, is entirely approved; and you will retain them and any others of the same regiment who may reach Florida, so long as you shall desire their services in that quarter.

The cutting off and capturing of so many small parties of the Indians and negroes must have the effect immediately to weaken, and ultimately to subdue them; and, in that view, your recent operations are regarded as highly important.

B. F. BUTLER.

Major General THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *February 22, 1837.*

SIR: Your letter of the 7th instant, announcing the success of your expedition to the head of the Coloosahatchie, was this day received; and I hasten to express to you the gratification which its contents have given to the President and the Department.

I had the honor, in my letter of the 11th instant, to give the assent of the Department to your retaining those companies of the 6th infantry which have reached, or may reach, Florida, so long as you may desire them; and I believe the Adjutant General had made the like communication a day or two before.

B. F. BUTLER,
Secretary of War ad interim.

Maj. Gen. THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *March 11, 1837.*

SIR: Your several letters of the 17th, 20th, and 22d ultimo, were received on the 9th instant.

Should the arrangements in progress with the hostile Seminoles fail of being carried into effect, the attention of the Department will, of course, be given promptly to the measures which shall then be necessary, and which you may suggest, for the further prosecution of the war.

On Monday next I shall retire from the temporary care of the Department; but, before my connexion with it terminates, I desire to make known to you the high sense entertained by the late President and myself of the indefatigable zeal and the great promptitude and skill with which you have devoted yourself to the arduous duties of your command. Having, as one of my first official acts, directed you to assume that responsibility, and having since, from time to time, given much of my attention to your movements, and repeatedly conferred with the Executive thereon, I feel it my duty to place this testimonial on the records of the Department.

I take pleasure in communicating, with it, my best wishes for your success as a commander, and for your personal happiness and renown.

B. F. BUTLER,

Secretary of War ad interim.

Maj. Gen. THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *March 20, 1837.*

SIR: It is of great importance that this Department should have as accurate a knowledge as possible of the topography of Florida, and particularly of the seat of war in that Territory; and I have therefore to request that you will furnish me, at as early a day as your other important duties will permit, all the information on this subject in your possession, and which you can conveniently obtain.

J. R. POINSETT,
Secretary of War.

Maj. Gen. THOMAS S. JESUP,
Fort Dade, Garey's Ferry, Florida.

WAR DEPARTMENT, *March 20, 1837.*

SIR: Your letter of the 25th of February has been received, and I am gratified to learn that you entertain hopes of soon terminating, by negotiation, this protracted and distressing war. I am glad, however, to find that you have not relaxed your exertions to prepare for a renewal of hostilities, provided negotiations should unfortunately fail. If you have to move your forces once more against the Indians, I should recommend that you take early measures to select positions where the troops may be posted during the rainy and summer months. In this selection, you will have due regard to the health of the posts, the facility of receiving regular supplies, and the means of restraining the Indians within the limits to which they have been driven. If hostilities are renewed, I have no doubt you will use every exertion to bring the war to a successful termination: but prudence dictates that every measure of prevention should be taken to place the troops in advantageous and healthy situations for the summer, in the event of the war being prolonged beyond that period.

J. R. POINSETT.

Maj. Gen. THOMAS S. JESUP,
Fort Dade, Garey's Ferry, Florida.

WAR DEPARTMENT, *March 27, 1837.*

SIR: I have had the honor to receive your letter of the 7th instant, respecting the further continuance of the regiment of Creek warriors in the service of the United States. The reasons given by you for adopting this measure are entirely satisfactory, and the Department therefore ap-

proves it, and will carry into effect the assurances which you have given those Indians respecting their subsistence after their arrival at their new homes in the West.

J. R. POINSETT.

Major General T. S. JESUP,
Fort Dade, Garey's Ferry, Florida.

WAR DEPARTMENT, *May 6, 1837.*

SIR: I had the honor to receive your letter of the 9th of April, conveying the pleasing intelligence that the war in Florida is over, unless renewed by the imprudence and violence of the white inhabitants of that Territory. From such a danger it is believed that your prudence and firmness will preserve the country.

Your distribution of the forces which are judged necessary to be retained in Florida for the purpose of protecting the frontier inhabitants, and your intention to withdraw others from posts deemed unhealthy early in the month of June, are approved.

J. R. POINSETT.

Maj. Gen. THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *May 17, 1837.*

SIR: Paymaster Andrews has reported himself at this Department, and given important information concerning the state of the troops in Florida. From the severe duty which has been imposed on the troops in Florida, and their sufferings under circumstances of peculiar privation, in a climate little congenial to the health of most of them, I feel much concerned in their behalf, with a disposition to afford them every relief consistent with a just regard to the service; as I feel assured that every portion of the army serving in that quarter has done its duty most faithfully, and is deserving of the kindest treatment.

Instead, therefore, of ordering the regiments of artillery to the Sabine, as directed, you will, as soon as circumstances will permit, allow the 1st, 2d, and 4th regiments to repair to the posts assigned them in general order No. 58 of last year; where, it is hoped, they will find repose and be able to recruit their strength. The 3d regiment of artillery, which is destined to garrison the posts from Savannah to the Mississippi, you will order to Fort Mitchell, it being a healthy place; or, should the whole of the regiment not be required for duty at that place, during the unhealthy season it may be distributed among the healthy stations assigned it in general order No. 58, to wit: St. Augustine and Forts Pickens and Morgan.

In communicating to you this mode of relief to the troops, it is not intended to interfere with any arrangements you may have made, or may think of making, for the security of the country, or the property belonging to the Government; but it is intended to convey to you an expression of my satisfaction with the conduct of the troops, and to evince to them,

through you, the disposition which the Department feels to relieve them as early as possible from the hardships and sufferings which they have so nobly sustained in the prosecution of the war against the Seminoles.

With a view of alleviating, as far as in my power, the burdens imposed on commandants of posts in Florida, I have directed that double rations be allowed to the commanding officers of Fort Harlee, Fort Crane, Fort Clinch, Fort King, Fort Armstrong, Fort Dade, Fort Foster, Fort Hillsboro', Fort Volusia, and Fort Mellon: this allowance to take effect from the time those posts were established, and to be continued until their evacuation. The other posts have been provided for by the order of the 21st of June last.

In sending the troops to their stations, as herein indicated, a due regard should be had to their present positions, in order to relieve them as much as possible from marching through an unhealthy country at this season of the year.

J. R. POINSETT.

Major General T. S. JESUP,
Tampa Bay, Florida.

P. S. I have to request that the brigade of militia under General Hernandez, and such of the volunteers in the Territory of Florida as are not, in your opinion, necessary to ensure the peace and safety of the Territory, be forthwith discharged.

J. R. POINSETT.

WAR DEPARTMENT, *May 17, 1837.*

SIR: I have to request that you will instruct the officers of the subsistence department in Florida to continue, till the 1st of October next, the issue of rations to such of the suffering inhabitants of that Territory as may, in their opinion, and in that of the commanding officers of the different posts, be fit objects of the bounty of the Government.

J. R. POINSETT.

Major General THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *May 25, 1837.*

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, with its enclosures.

I concur entirely in the opinion you have expressed, that the claim presented by Mr. Gould, as the attorney of Josiah Dupont's heirs, is embraced by the provisions of the sixth article of the treaty with the Seminoles of May 9, 1832. The parties must be aware of this, as it appears from a report received from General Thompson, in 1835, that they presented to him evidence in support of it, which he transmitted to this Department. This report will be soon acted upon; and when the Department is in possession of all the claims, and necessary information, the sum stipulated

to be paid will be paid in such manner as the aggregate amount of them may render necessary.

You can communicate these views to the persons interested, with an assurance that no measure taken now, in relation to their slaves or negroes, will affect injuriously any just claim against the Seminoles. But, at the same time, the Government cannot permit a discussion of individual rights to interfere with a prompt and peaceable removal of these Indians.

J. R. POINSETT.

Major Gen. THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *May 25, 1837.*

SIR : I have received your letter of the 8th instant, and have read with interest the copy of Colonel Harney's despatch enclosed by you.

In order that the present gratifying prospect of a speedy termination of the difficulties in Florida may not be marred, the Department advises that you continue to exercise great vigilance in protecting the Indians from all violence, both from the troops and the citizens; and that you take all proper measures to prevent any officious interference from any quarter with your operations.

The attacks upon your course of conduct, to which you allude, are not worthy of your notice; and it is hoped that you will steadily proceed in the execution of your important duties, without regard to them, and rely upon the support of the people, and the approbation of the Department, to sustain you in your efforts to put an end to the war, and to send the Indians speedily and peaceably to their new homes.

J. R. POINSETT.

Major Gen. THOMAS S. JESUP,
Tampa Bay, Florida.

WAR DEPARTMENT, *July 25, 1837.*

SIR : As you have in several of your letter expressed an opinion of the impossibility of removing the Seminoles, and a doubt of the policy and propriety of persevering in that measure, it becomes necessary to explain to you the views of the Executive on that subject. It is true that the Seminoles dwell in an inhospitable and deadly climate, and occupy inaccessible swamps and morasses, which are not susceptible of cultivation or improvement by the whites. Still, their further continuance there was found to be incompatible with the peace and security of the citizens of the United States who inhabit Florida, as well as with their own preservation and independence; it became, therefore, the duty of the Government to carry out the same policy with regard to the Seminoles, which it had adopted in its treatment of the other Indian tribes east of the Mississippi—remove them to the abundant and fertile country beyond that river; or to withdraw the settlers from East Florida, and protect the western part of that Territory by a cordon of posts and troops. Every consideration of sound policy required them to adopt the former alternative; and, in pursuance of this

decision, the treaty of Payne's Landing was concluded. Three years were allowed the Indians to prepare for their removal ; and this term was further extended, and every indulgence that they asked promptly and kindly granted, until it was made manifest that they did not intend to fulfil their treaty obligations, and it became the imperative duty of the Executive to compel them to do so. As soon as this determination of the Government was made known to them, they broke out into open hostility ; and, taking advantage of the unprotected state of the frontier, carried fire and sword into the white settlements, committing the most horrible cruelties and excesses. It is true that in the contest which ensued they have displayed, in an eminent degree, the savage virtues of constancy and courage ; and that, aided by the climate, and the nature of the country, they have so far successfully defended themselves against superior forces, directed by brave and skilful officers ; but the conduct and courage of the enemy do not alter the nature of the war, nor diminish our obligation to subdue them, and to compel them to fulfil their engagements. To abandon the settled policy of the Government because the Seminoles have proved themselves to be good warriors, and rely for the protection of our frontiers upon the faith of treaties with a people who have given such repeated proofs of treachery, would be unwise and impolitic. We cannot desist from prosecuting this war until the Seminoles consent to remove from Florida, without an abandonment of the only measures which can preserve the independence, and even existence, of the Indian tribes, and inviting the resistance of all those who now remain east of the Mississippi. To withdraw our forces now, would betray great weakness, and not only tarnish the honor of our arms, but violate the sacred obligations of the Government of the United States to protect the persons and property of the citizens of Florida from the savage aggressions of the Indians. I am persuaded that this obligation can be fulfilled without seeking to exterminate the Seminoles, and am gratified to find, that, after having had time for further examination and reflection, you coincide in this opinion. In consequence of the earnest desire expressed in your letter to the Adjutant General, of the 5th of June last, to be relieved from the command of the army of Florida, this Department assented to your wishes ; and you were informed that you might withdraw from the army, and return to your appropriate duties at Washington, provided, on the receipt of that permission, you still desired to do so. The uncertainty of your retaining the command, rendered it unnecessary to correspond with you on the subject of the preparations for the next campaign ; but finding, from your letter of the 8th of July, to the Commanding General of the army of the United States, that you are now desirous to remain and conduct the next campaign, which you believe may be done in a manner to ensure success, I will enter into the subject fully, and inform you of the measures which have been taken here already, and of those which it is deemed advisable to adopt, as well in the prosecution of the preparations for opening the campaign, as for the conduct of the war. In giving the views of the Department on this subject, it is not meant to confine your operations in the field, but merely to point out the general principles on which those ought to be conducted, leaving all the details to your own sound discretion ; which, aided by the knowledge you have lately acquired of the country, will lead, no doubt, to the realization of your hopes, and the successful termination of this disastrous war.

The recruiting service has been very successful, and the regiments serving and to serve in Florida will have their full complement; and it is intended to ask authority from Congress, in September, to increase the companies to one hundred men; so that there will be sufficient time to carry out that measure before the period arrives for opening the campaign. With the present establishment, by sending the whole of the first infantry, four companies of the second infantry, three companies of the second regiment of dragoons, and a sufficient number of recruits to fill the companies to their establishment, there will then be thirty-six companies of artillery of fifty each, making one thousand eight hundred; thirty-two companies of infantry of fifty each, one thousand six hundred; and ten companies of dragoons of seventy each, seven hundred; making in all four thousand one hundred men, which will be in Florida by October next: and if the contemplated measure of augmenting the army meets with the approbation of Congress, the companies can be increased, and the army of Florida carried up to seven thousand five hundred men. Measures have been taken to obtain the Indian force you have recommended, and it is hoped that one thousand warriors will be at Tampa in time to co-operate with the regulars at the commencement of the campaign: say two hundred Delawares, four hundred Shawnees, one hundred Sacs and Foxes, one hundred Kickapoos, and two hundred Choctaws; making, in all, one thousand warriors. With respect to the militia, it would appear preferable to have them brought into the field from different sections of the country, in companies, and not to organize them into separate regiments, but attach them as light infantry companies to those already organized. The staff of the militia is exceedingly expensive and cumbrous, and might very well be dispensed with. It is thought totally inexpedient to employ mounted militia on this service. Experience has proved that description of force to be more expensive than efficient, and I will place under your command as many companies of the 2d regiment of cavalry as you may deem requisite.

Your suggestion with regard to the usefulness of spy companies meets the approbation of the Department, and has been already acted upon. Measures have been taken to engage the class of people designated, and, on your part, you may adopt such as you think proper to increase this description of force.

Measures are being adopted for establishing rapid and certain communications between this Department and the seat of war. A line of steam packets is already in successful operation between Washington and Charleston, leaving this place on Friday and reaching Charleston on the following Monday; when a sea steamer may be despatched to the St. John's, and return in time for the departure of the packet on the following Friday. This vessel reaches Washington again on Monday, so that ten days will suffice to communicate with the forces under your command. It is proposed to make Jacksonville the principal depot for the operations on the eastern side of the peninsula; and you will give immediate orders for the erection of sufficient storehouses for that purpose, sending a competent officer to make a judicious selection of the site, which ought, if possible, to be on the river bank, so as to avoid the expense and delay of land transportation. From this point, forage, provisions, and all things required for the use of the army, can be conveyed by steamers to any place on the St. John's where they may be wanted, to the nearest and

most commodious point whence to commence land-carriage. In order to ensure the success of these operations, it will be necessary to engage the requisite number of steamboats for this service; and the Department desires to be fully informed on that subject, in order that it may decide whether to continue the contract or to purchase boats. And here it may be well to remark, that sea vessels ought to be employed for transportation between New Orleans and Tampa, and between the Eastern ports and Jacksonville, and the use of steamers confined to the rivers. It will be well to have on the eastern and western rivers, in addition to the barges which you already have, a number of flat-bottomed boats to push up the shallow streams, and to serve for lighters in the event of the steamers grounding.

Whatever land transportation you may require will be furnished by the proper department. Light two-horse wagons, drawn by mules, are the best. And here let me advise you not to burden yourself with too many horses, either for cavalry or transportation; it is extremely difficult to subsist them in the country you are to operate in, and, when too numerous, instead of facilitating, they retard the movements of an army. I observe in the plan of campaign submitted to the Department, in your letter of 15th of June, you call for nine hundred and fifty cavalry: this appears to be too great a number to subsist in Florida, but, if they are deemed essentially necessary, they shall be furnished of regulars. The immense loss of horses by the militia, and the enormous expense incurred by the employment of that description of troops, have determined the Department rather to bring into the field the whole disposable force of regular cavalry, than to make any draughts for mounted volunteers.

In the entire absence of topographical knowledge of the country which is the theatre of your operations, I cannot give an opinion of the plan of campaign you propose to follow. It has appeared to me that, hitherto, the base of your operations has been confined too much to a line parallel to the coast, and that, if the nature of the country would permit, it might be better to establish it across the peninsula; but of this I will defer a positive opinion until I receive copies of the results of the several *reconnoissances* you have caused lately to be made. I beg that you will communicate frequently with the Department, and as much as possible in detail, so that there may be no defect nor tardiness in sending forward the supplies you may require, or otherwise co-operating with you in making the necessary arrangements and preparations for a vigorous prosecution of the campaign, as soon as the season will permit it to be commenced without risk to the troops.

The period ought to be determined by experience of the climate. In all our Southern countries with which I am acquainted, the fall of the year is the most sickly; and to commence active operations in the lower parts of Carolina or Georgia before the 1st November, unless there should be a frost earlier in the season, would be attended with certain disease, and occasion the destruction of one-half of the army. If the troops are assembled in October, it appears to me time enough; but I will be glad to hear further from you on that subject.

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Commanding in Florida.

WAR DEPARTMENT, *August 1, 1837.*

SIR: I enclose for your information copies of instructions that have been issued, in reference to the employment of an Indian force during the next campaign in Florida.

J. R. POINSETT.

To Maj. Gen. THOMAS S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *August 3, 1837.*

SIR: The attention of the Department has been called to the subject of the aid afforded by Government to suffering inhabitants of Florida, by a late letter received by the Quartermaster General from Lieutenant Vinton, informing him that another steamboat has been employed to transport subsistence, on the requisition of Governor Call, who alleges that the one now on that service (the Izard) is not sufficient to supply the suffering inhabitants assembled at St. Mark's. You were informed, by a letter of May the 17th, that the President had resolved to continue the distribution of rations to the inhabitants who were unable to maintain themselves until the 1st of October next, and by that intimation it was intended to convey his intention that these supplies should cease at that time. The object of Congress would appear to have been to succor the immediate wants of a people who had been suddenly driven from their homes and deprived of the means of supporting themselves; not to continue during the whole war to maintain them gratuitously, thereby withdrawing all motive for exertion on the part of those who might otherwise find means to maintain themselves. Cases may present themselves of the aged and infirm, the widow and the orphan, wherein you may be called upon to exercise a sound discretion, as you are hereby authorized to do; but, on the 1st of October, the present system of dealing out rations to the suffering inhabitants of Florida generally, as now practised, must cease; and as early notice as possible ought to be given of this determination of the President.

That none may suffer under this decision, you will give employment to those who are in want of it; and it is supposed that the various branches of the service, especially the establishment of stores, posts, and good communications throughout the country, will enable you to do so. Apart from the pernicious moral influence of an indefinite continuance of such a system, the success of the campaign will be jeopardized by it. If the steamboats and wagon-train, and other transportation intended for the service of the army, may be called off at any time from their legitimate and necessary uses, to convey these supplies, the Commanding General cannot be certain of receiving with punctuality and despatch those intended for the troops. And if the subsistence destined for the army is to be consumed irregularly by the requisitions from officers whose duty it has been to obtain the rations heretofore distributed to the inhabitants, the Commissary's department cannot answer for the result. The supply must, either way, far exceed the regular demand, which is attended, as experience proves, with great waste of the public stores; or there may be a de-

iciency of supplies for the troops, to the utter destruction of the best combined operations. Even those rations which, in the use of a sound discretion, you may find it absolutely necessary to distribute, ought to be taken from other resources than those intended for the use of the army, and transported by other means than those at the disposition of the Quartermaster's department for the transportation of the baggage and stores of the army.

You will therefore cause all such persons to be assembled in the neighborhood of Jacksonville, on the St. John's, and at Tampa Bay, or Charlotte harbor—points which can be approached by sailing vessels; and on information being received here of the number so to be supplied, measures will be taken, before the commencement of active operations, to detach this service from the army altogether, and employ agents to attend to it.

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *August 3, 1837.*

SIR: It appears to me advisable to establish a post in Charlotte's harbor, on some convenient and healthy site, as soon as the means in your power will permit it to be done; and from thence to push reconnoitring parties up the rivers which fall into that bay, in order to obtain a knowledge of the country which is to be soon the theatre of your operations. I am sorry to find that you have been under the necessity of calling out so many men of the militia of Florida. It has always appeared to me sound policy to leave as many of the Floridians as possible on their plantations, and not to compel them to abandon their homes. The militia had better be drawn, as far as practicable, from the neighboring States, and the people of the country left to guard their own hearths and protect their own slaves. I have no doubt the exigency of the case required you so to act, but I am desirous you should know the views of the Department on this subject.

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *August 16, 1837.*

SIR: I have to request that you will observe and note the operation of the existing rules and regulations of the militia service in the field, with a view to their future revision.

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *August 18, 1837.*

SIR : I have watched the progress of the recruiting service with great anxiety ; and, although new rendezvous have been opened, and I believe proper exertions used by the officers charged with this department, still I am afraid the number of recruits will fall short of the complement of men required to fill up, within the limited time, the regiments destined to Florida. Under this apprehension, I deem it expedient that you should make prompt use of the authority heretofore vested in you, to call for such militia or volunteer force as you may think necessary to complete the number of men required to carry out the plan of campaign you have proposed ; the latter to serve six or twelve months, unless sooner discharged. The Adjutant General has been instructed to furnish you with a return of the recruiting service. There are not quite a thousand men at Old Point Comfort, and the return from all the recruiting stations will not, I fear, exceed five hundred men a month.

It may be well to endeavor to re-enlist, for a short time, the men now in Florida, whose term of service is about to expire ; say to the end of the campaign. You may assure them of the punctual fulfilment of any arrangement you may find it beneficial to make with them, on the part of the Department, within its legal powers.

Every exertion is being made by the Quartermaster and Commissary Generals to complete the supplies necessary to the success of your operations, from their respective departments. A return of them will be furnished to you ; and I beg you will advise me of any further requirements you may deem essential to the health and comfort of the troops, and to the efficiency of the forces under your command.

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *August 25, 1837.*

SIR : Your letters of the 10th and 14th instant have been received.

In accepting the services of the brigade of volunteers which has been offered for service in Florida from Kentucky, which you are hereby authorized to do, you will designate the description of force, number of men and officers you require, and the organization you propose to give it, agreeably to that adopted by the late President, when the volunteers for the last campaign were mustered into service.

In communicating to you my own convictions, it was not intended to do any thing more than bring them to your notice—not to make them the guide of your conduct, in any case in which your knowledge and experience, acquired on the theatre of operations, led you to differ from them. I had no wish to break up the depot at Garey's Ferry, and only desired to have established the general depot at Jacksonville, in order that the supplies might be transported by sailing vessels, and, being discharged there, supplies of every description could be transported there by steamers to Black creek, or whatever other part they may be required. Your impressions, however, appear to be so strong as to the inexpediency of ma-

king the depot at Jacksonville, and so decidedly in favor of the Pelatka, that you are authorized to make the proposed alteration in the orders which have been given upon this subject ; or if, in your opinion, sailing vessels can be brought up to the depot at Garey's Ferry, by being towed from the mouth of the creek, you may make that the chief depot for supplies on that line of your operations, and suppress the others.

The acting Quartermaster General will take the most prompt and active measures to send all the articles you require from his department.

If the Engineer department can furnish the dredge-boat, and sufficient force to work it, in time to deepen the bar, and remove the obstructions to navigation at the head of the lakes, it shall be done. In the mean time, I would suggest, that flat-bottomed boats be used as lighters for the steamers. The operation of unloading and loading is, I acknowledge, somewhat tedious, but attended with less labor than land-carriage. Every effort is making to obtain for the army under your command the description of force you require. The 2d regiment of dragoons, now on their march from Jefferson barracks, it is hoped, from their having had some time to drill, will furnish you a few companies of good cavalry ; and rendezvous have been opened in the interior districts, with the hope of obtaining men acquainted with the use and management of horses.

If the plan suggested by me cannot be carried out, you will designate the description of force you require, in the requisitions upon the States ; not merely asking for regiments, brigades, or companies, but stating in every instance the number of men and officers required, and mustering none other into service. You may call for whatever number of volunteer cavalry you require ; but I would suggest whether it would not be advisable to bring the men chiefly by water, and have the horses driven by careful persons, so that they may be fresh on their arrival. If mounted men march from Kentucky or Tennessee on horseback, the horses will be galled and used up before they reach the Territory.

The map was very acceptable, and, as soon as the one you intend to forward from Tampa reaches the Department, it shall be lithographed, and copies furnished to the officers in service in Florida, in order that while they use it, they may fill it up with such information as they can derive from actual observation. On a cursory examination of it, the plan of campaign you propose appears judicious.

The Navy Department will furnish the vessels required ; and I have asked for the officers you designate to command the steamers. One word as to the season to commencing active operations. The first of October is too soon. I have no objections to the force you require being in Florida early in that month, that you may organize it, and, if you desire, place the columns in position ; but October is too soon to begin active operations in the field, without exposing the troops to the deadly effects of the autumnal diseases prevalent in the latitude and climate of East Florida.

I regard the risk to the health of the men to be so great at that season, putting to hazard the success of the campaign, that I am compelled to instruct you not to commence active operations of attack before the commencement of November.

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

[Doc. No. 78.]

WAR DEPARTMENT, *August 26, 1837.*
 SIR : I enclose you a letter of the Commissioner of Indian Affairs, and will thank you to furnish him with the information he desires respecting the Creek warriors in Florida.

To Major General THOMAS S. JESUP.

J. R. POINSETT.

WAR DEPARTMENT, *August 30, 1837.*
 SIR : Since the letter from this Department was written, asking you to report what disposition you intended to make of the Creek warriors, whose families are at Pass Christian, I am informed by the Commissioner of Indian Affairs that it is desirable they should be sent to that station as soon as can conveniently be done, in order that they may be ready to remove early in the month of October. From the measures taken by the Department to supply their places, it is hoped that you will be able to dispense with their services in time so as not to interfere with the measures adopted here for their speedy emigration.

Your letter of the 15th instant has been received, and your wishes with regard to the gun-carriages shall be complied with as early as practicable. It is stated by some persons that the Shawnee, Delaware, and Kickapoo tribe of Indians, which you recommended to be employed, are too few and too civilized to furnish the number of warriors we have required from them. Orders were given to the officers, in the event of their not succeeding in engaging the number of Indians required from these tribes, to seek them elsewhere ; and I inform you thus early of all the obstacle likely to arise, that, in aid of the Department, you may take such measures as are in your power to obviate them.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

J. R. POINSETT.

WAR DEPARTMENT, *September 2, 1837.*
 SIR : Since my letter to you of the 25th ultimo, authorizing you to accept a brigade of volunteers from Kentucky, I have been informed by General Smith, of Louisiana, that the same number of efficient men can be raised in that State without delay. These being accustomed to a climate similar to that of Florida, and so near the scene of operations that they would be able to reach there at an earlier period than those would from Kentucky, I have determined to accept the services of the former, and to countermand the authority given you to receive the latter.

The Governor of Kentucky will be this day informed of this change of the views of the Department.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

J. R. POINSETT.

WAR DEPARTMENT, *September 6, 1837.*

SIR: The Department having made arrangements for procuring a sufficient volunteer force from Tennessee, with that which will be raised in Louisiana and South Carolina, for the next campaign in Florida, it will be unnecessary that you should call upon the Governors of Georgia and Alabama for the troops you were authorized to request, in letters from this Department, some time since. Nor is it necessary that you should communicate with the Governor of Tennessee respecting the force to be procured in that State, as the Department will take the necessary measures respecting it.

J. R. POINSETT.

To Maj. Gen. THOS. S. JESUP,
Garey's Ferry, Florida.

P. S. The number of volunteers from South Carolina, it is believed, will be five hundred.

WAR DEPARTMENT, *September 6, 1837.*

SIR: I have the honor to acknowledge the receipt of your letter communicating the result of your interview at Fort King with certain sub-chiefs of the Seminoles, and hasten to say, that the intelligence given by you is of a pleasing character, and to express to you the approbation of the Department of the course you have pursued, and of the language you have made use of in your talk with the Indians.

J. R. POINSETT.

Maj. Gen. THOS. S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *September 9, 1837.*

SIR: In reply to that part of your letter of the 10th ultimo, which refers to the necessity of having a small naval force to aid you in preventing the Indians from obtaining powder from certain points, I transmit you copies of letters from the Secretary of the Navy and the Secretary of the Treasury, in answer to requests made to them by this Department for both species of force.

The Secretary of the Treasury has been requested to place the cutters under your orders, and cause them to repair to Tampa Bay at as early a period as practicable.

J. R. POINSETT.

Maj. Gen. THOS. S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *September 13, 1837.*

SIR: I have had the pleasure to receive your letters of the 28th and the 30th August.

In reply to the first, relating to General P. F. Smith, of Louisiana, I am happy to inform you that the Department has anticipated your wishes,

and accepted the services of that officer to raise a regiment in Louisiana for the service of the Florida war. He has already the necessary authority, and measures are in operation to render his levies effective. You can communicate to him the point where you desire him to direct his force. As you indicate Charlotte harbor, I have this day given orders to send the battalion of 2d infantry, (say two hundred and fifty men,) now at New York, to that post, which will supply the place of the marines. I regret that force has not been retained in Florida, but suppose it is too late so to direct it.

The Département is satisfied with the reasons given in your communication of the 30th, for the employment of the Florida militia.

As you appear to apprehend that the force will not be in position in time for active operations, which ought not to commence before the first week in November, I recapitulate what has been ordered on the subject. Measures have been taken to raise six hundred volunteers in Tennessee, six hundred in Louisiana, six hundred in Missouri, with three hundred additional riflemen, organized as spy companies. Active officers are engaged in procuring the Indian force of one thousand men. These troops, we confidently expect, will be in Florida in the month of October. Five hundred regulars will take their departure from Old Point Comfort for Tampa, from the 20th to the 25th of this month; two hundred and fifty for Charlotte harbor as soon as practicable, but before that period; and from the 1st to the 10th of October, the remaining force now at Fortress Monroe, (say about one thousand men,) will be despatched to the St. John's.

The steamer New Brighton will shortly take her station between Charleston and Garey's Ferry, and our communications will then be regular and frequent. I await the promised map, to have it lithographed.

I send the instructions prepared for the commission intended to be sent to attend to the subject of distributing rations to the indigent and suffering inhabitants of Florida. As some days may elapse before the gentlemen will be able to reach Florida, I beg you will cause these regulations to be carried out immediately after the 1st October, by the officers now charged with that duty.

J. R. POINSETT.

To Maj. Gen. THOS. S. JESUP,
Garey's Ferry, Florida.

WAR DEPARTMENT, *October 4, 1837.*

SIR: The Cherokee chiefs who are charged with this communication, having expressed a desire to be allowed to counsel with the Seminoles, in order to save that people from the consequences of the impending war, you will permit them to do so.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP.

WAR DEPARTMENT, *October 4, 1837.*

SIR: It having been signified to the Department that certain Cherokee chiefs have expressed a desire to counsel the Seminoles to submit to the Government of the United States, I have thought it advisable to permit

them to do so ; but you will take the precaution to have them accompanied by such agents and interpreters as you can rely upon, in order to ensure the faithful execution of their proffered services.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
St. Augustine, Florida.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, November 3, 1836.

SIR : I have the honor to enclose a return of the troops at this post. Not having returns of the three companies of regular troops, and one of mounted volunteers, in the Creek country ; of the two companies of infantry in the southern counties of Georgia ; nor of the battalion of mounted Alabama volunteers on their way to join me, I could not include them on the return.

Supplies are rapidly coming in ; and if I had the means of transportation, I should be able to move forward the moment the Alabama volunteers arrive.

I enclose, for the information of the General-in-chief and the Secretary of War, a copy of a letter to his excellency Governor Schley, dated the 17th ultimo ; and a copy of a letter to his excellency Governor Clay, of the 20th ultimo, on the subject of volunteers for 12 months, which will certainly be required for service here, as there seems to be no prospect of recruits being sent to fill up the companies in this Territory. I would have forwarded copies of those letters sooner, but was not able to have them made out.

I also enclose a letter to Commodore Dallas.

I am, sir, respectfully, your obedient servant,

TH. S. JESUP, *Major General.*

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, October 19, 1836.

SIR : Previous to my departure from the Creek country, that excellent officer, Major Nelson, stationed near the Cherokee line, proposed to raise a regiment of volunteers for twelve months. I did not then feel authorized to accept the services of so large a corps ; but information received since my arrival here induces the belief that the war in this country, from the confidence with which the Indians have been inspired by their successes during the summer, will be protracted, and that the services of the regiment offered by Major Nelson will be required. I must, therefore, request your excellency to give the necessary orders for the organization of the regiment, and its march to Tallahassee.

As I have no officer disposable, I beg you to appoint an officer to muster them into service. Arms, ammunition, camp-equipage, &c., can be obtained at Columbus or Fort Mitchell.

I am your excellency's most obedient servant,

THOS. S. JESUP,

Major General commanding.

His Excellency Wm. SCHLEY,

Governor of Georgia, Milledgeville, Ga.

HEADQUARTERS, ARMY OF THE SOUTH,

Steamboat Merchant, near the Withlacoochee, October 20, 1836.

DEAR SIR: From the dispersed condition of the hostile Indians at this time in Florida, the war will be tedious, and more troops will be required than are now in the field. I desire that the fine battalion under Lieutenant Colonel Cawfield should be extended to a regiment. I beg you to consider this letter as a requisition for five additional companies of volunteers for twelve months. Arms and every necessary equipment can be had at Fort Mitchell. I will thank you to organize the companies into a battalion, with a major to command it, and let the colonel be elected when it shall have joined the battalion now in the field.

I am, dear sir, most respectfully, your obedient servant,

THOMAS S. JESUP,

Major General.

His Excellency C. C. CLAY,

Governor of Alabama, Tuscaloosa, Alabama.

HEADQUARTERS, APPALACHICOLA, October 25, 1836.

SIR: Pursuant to instructions from the Secretary of War, I have entered Florida with the disposable force under my command to co-operate with his excellency Governor Call, in the prosecution of the war against the Seminole Indians. To strike the enemy in his stronghold, the command of the Withlacoochee is necessary; to take and retain command of that river, small steamboats are required. The Izard, which was intended for that service, has been lost on the bar at the mouth of that river; and our operations will be greatly retarded, if not entirely suspended, if she be not replaced.

Two public boats, the American and Dade, have, I understand, been sent to Pensacola for repairs. If they could be made fit for service, and one of them be sent to the Withlacoochee, and the other to the Suwannee, active operations might be commenced in a few days, and the war perhaps brought to a close, before the expiration of the term of service of the Tennessee volunteers. May I ask the favor of you to cause them to be repaired at the navy yard, and furnished with crews from your command? The efficient co-operation afforded by the navy, and particularly by yourself, in the Creek campaign, induces me to make this request; and I make it with the more confidence, from the belief that, with your enlarged

and liberal views, you are always willing to promote the interest of the whole service by every means in your power.

Colonel Stanton, quartermaster and adjutant general of this army, whom I take great pleasure in introducing to your acquaintance, is the bearer of this letter. He goes to Pensacola, Mobile, and perhaps to New Orleans, on public duty. I have requested him to see you in relation to the steamboat before referred to.

With high consideration and respect, your obedient servant,
THOMAS S. JESUP,
Major General commanding.

Commodore **ALEXANDER J. DALLAS,**
Comdg. U. S. naval force on the Gulf of Mexico,
Pensacola, Florida.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, November 6, 1836.

SIR : I have received, this evening, your letters of the 6th and 8th October.

The marines and about five hundred regular troops are here. A detachment of Alabama volunteers arrived to-day—about a hundred and twenty. The remainder of the battalion, about a hundred and eighty, will be here probably by the 12th, at which time I expect mules and horses from New Orleans and St. Mark's for packing. On my arrival, I found no means of transportation, or I should ere this have been on the Withlacoochee. The moment the pack-horses arrive, I shall take the field.

I have despatches to-day from Governor Call and General Reed. The Governor, with the Tennesseans and Floridians, and the Indian warriors, will move on the Withlacoochee. If the Indians fight, the war will soon be ended. If they disperse, we shall have a tedious and arduous service: but they must be pursued to their most hidden recesses. Should they go to the Everglades, I shall follow them, and for that purpose I have required boats of a suitable construction to be prepared at New Orleans.

I am, sir, most respectfully, your obedient servant,
THO. S. JESUP,
Major General commanding.

The Hon. SECRETARY OF WAR,
Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, November 6, 1836.

SIR: I have the honor to acknowledge the receipt of your letters of the 8th and 11th of October. They were forwarded to me from Columbus, Georgia, and were received this evening.

The marines, under Colonel Henderson, are here. I have also about 500 regular troops. About 120 of the Alabama volunteers arrived to-day, and the remainder (say 180) will be here by the 12th; and I expect by that time to receive horses or mules from New Orleans for packing. The moment they arrive, I shall take the field.

Governor Call, from whom I have received despatches this afternoon, will meet me on the Withlacoochee with the Tennesseans, Floridians, and Indian warriors.

If the Indians return to fight us, we shall terminate the war during this month; but should they disperse, they will give us employment the greater part of the winter.

I have received order No. 69, and hope it may be carried out.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, November 9, 1836.

GENERAL: I have the honor to send, herewith, a muster-roll of Captain W. L. Fry's company of mounted Alabama volunteers, which was mustered into the service of the United States by General Andrew Moore, of Alabama, under authority from Major General Jesup.

I am instructed by General Jesup to say, that when the company was called into service, it was necessary to facilitate the emigration of the Creek Indians. That service having been accomplished, the company will be ordered to report for duty to General Wool, in the Cherokee nation; who, should he not require their services, will have them discharged.

Most respectfully, your obedient servant,

J. N. CHAMBERS,
Lieutenant and Aid-de-camp.

Brigadier General R. Jones,
Adjutant General U. S. A., Washington City.

HEADQUARTERS, FORT BROOKE,
Tampa Bay, November 18, 1836.

SIR: The last detachment of the Alabama volunteer battalion arrived here yesterday. The mules ordered from New Orleans for packing have not yet arrived. The moment they arrive, I shall take the field. I have been ready for two weeks, except transportation. The time, however, has not been lost, as I have employed the mounted volunteers in scouring the country; and every arrangement has been made for the most vigorous prosecution of the war, so soon as the means of transporting a few days' subsistence and forage shall be obtained. I hope to move by the 20th.

I am, sir, respectfully, your obedient servant,

THO. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Brooke, Tampa Bay, November 20, 1836.

SIR: Except the means of transportation, I have been ready for the field for two weeks past. A vessel with one hundred and twelve mules arrived evening before last. We are getting them on shore, and will march the moment they can be broken to the packs, for they are now entirely wild. Mules properly broken could not, I am told, be obtained.

The delay here, I am apprehensive, will derange General Call's plan; but we must make up by energy and activity, when we get into the field, for the unavoidable delay which has taken place. Among the numerous disadvantages to the service incident to the detention here, we have one advantage at least, which is, the arrival of the last detachment of the Alabama battalion.

I have not heard from General Call since the 27th of last month. There is no communication by land, and a very precarious one by water; consequently, it is impossible to combine the movement of separate columns, with any degree of certainty; and the friendly Seminoles who acted as guides last winter having been all sent off during the summer, not a single guide or pilot can be obtained.

I am, sir, respectfully, your obedient servant,

THO. S. JESUP,
Major General.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, November 21, 1836.

SIR: I desire that the enclosed copy of a letter to the late Colonel Walker, with the copy of his letter in reply, referring to a mistake in a report, as well as an order of General Scott, and a misrepresentation which has been circulated widely in the newspapers, be placed, with this letter, on the files of the Adjutant General's office; and

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,
Major General.

Brigadier General R. JONES,
Adjutant General, Washington City.

APPALACHICOLA, (FLORIDA,) *October 14, 1836.*

DEAR SIR: A writer in one of the Virginia papers, who represents himself as an officer of the army under the command of General Scott, has charged me with injustice to General Moore, in not reporting several hundred prisoners which his brigade is represented as having taken and sent to me. The same writer says, that of the three hundred prisoners sent in by me to Fort Mitchell, two hundred and fifty were taken by General Moore.

As I am not aware of any prisoners having been taken by General Moore's command ; and as it has been asserted, and the assertion has found its way into the papers, that the prisoners taken by him were delivered to you on my order, I beg the favor of you to answer the following questions : 1st. Were any prisoners delivered to you by any part of General Moore's command, and if so, of what towns were they, and what disposition was made of them? 2d. Were any of the prisoners taken to Fort Mitchell captured by General Moore's command? 3d. Did not Captain Henderson, of General Moore's command, disarm and take into custody Jim Boy and his warriors of the Thloblocco-town, and Yelka-Hadjo and his warriors of the lower Enfula town, who were at the time preparing to accompany me on the campaign? 4th. Were these chiefs, or their warriors, at any time hostile? 5th. Did they not accompany me on the campaign under the command of yourself and General Woodward, and perform their duty faithfully and efficiently? 6th. Were there any other Indians than those of Jim Boy and Yelka-Hadjo taken and delivered to you by Captain Henderson, or any other officer of General Moore's command? 7th. Were there, to your knowledge, any hostile Indians captured at any time by General Moore's command, and sent to me?

Respectfully, I am, dear sir, your obedient servant,

THOMAS S. JESUP.

Colonel WILLIAM WALKER,
of Tuskegee, now at Appalachicola.

I certify that the above is a true copy of the original, as recorded on the books of this office.

ADJUTANT GENERAL'S OFFICE, ARMY OF THE SOUTH,
Tampa Bay, November 21, 1836.

HENRY STANTON,
Brevet Lieut. Col. and Adjt. General, Army of the South.

APPALACHICOLA, (FLORIDA,) *October 14, 1836.*

SIR : Your letter of the present date has just been handed to me, and I hasten to reply to the questions therein proposed, which I am obliged to do in the simplest form, as my indisposition has rendered me so weak as to compel me to make use of the hand of another to commit to paper all I have to communicate.

1st Question. In answer to your first question, I reply, that no prisoners were delivered to me by any part of General Moore's command.

2d Question. Answer.—No, not one.

3d Question. Captain Henderson, of General Moore's command, took and disarmed Jim Boy and Yelka Hadjo and their warriors, when they were actually in the service of the United States and preparing to join you in the campaign.

4th Question. No, never.

5th Question. Yes, all of them.

6th Question. No other Indians, besides those above mentioned, were delivered to me by Captain Henderson, or by any officer of General Moore's command.

7th Question. Never, to my knowledge.

Very respectfully, your obedient servant,

WM. WALKER.

Major General JESUP.

We, the undersigned, hereby certify that the interrogatories to which the foregoing are answers, were put and answered in our presence.

W. S. McCLINTOCK,

Major U. S. army.

J. A. CHAMBERS,

Lieutenant U. S. artillery.

I certify that the foregoing letter and certificate are true copies from the originals.

J. A. CHAMBERS,

Lieutenant U. S. artillery.

TAMPA BAY, *November 21, 1836.*

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, November 28, 1836.

SIR: Sufficient transportation having been prepared, I put the troops in march yesterday for the Withlacoochee; but having received information, by the arrival of a steamboat with several officers, that Governor Call had scoured the Cove of that river without finding an Indian, and that trails in a southerly direction had been discovered by him, and also that he had moved to Volusia, I directed the troops to fall back and resume their position here.

My last communication from the Governor was dated the 27th of last month. It is utterly impossible to combine the movements of separate columns in a country like this, where communications cannot be kept up. The whole force should be united, and depots pushed into the immediate vicinity of the strongholds of the enemy. To be able to do so, I shall put myself at the head of the mounted men of this command to-morrow morning, and dash directly through to Governor Call's headquarters. If I should get through, I will report to you immediately from the other side.

I am, sir, respectfully,

Your obedient servant,

THOS. S. JESUP,

Major General.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, VOLUSIA, *December 5, 1836.*

SIR: After a rapid march of between five and six days, I arrived here last night from Tampa Bay, where I found Governor Call with the Tennessee brigade, the Indian regiment, and a few regular troops and Florida volunteers; amounting, altogether, to about two thousand men.

Your instructions to me of the 4th ultimo, to take the command of the troops in Florida and the direction of the war against the Seminoles, have not yet been received; but Governor Call has given me a copy of them, and will turn over the command to me the moment the necessary returns can be prepared. I shall enter upon the duties assigned me without the confidence of success entertained by the members of the Government, or

the hope of fulfilling the expectations of the President or the country. All that man can do shall be done ; but I can promise nothing more than to do my duty faithfully. Other troops will be required, and that immediately ; otherwise, a failure is inevitable.

The term of service of at least two hundred of the regular troops will, I am told, expire in the course of this and the next month, and not a man will re-enlist. The term of service of the Tennessee brigade will expire, of a part on the 18th, and of the remainder on the 31st of the present month ; and they will insist on going home. I shall then be left with troops barely sufficient to defend the necessary depots, without any for active service in the field.

I requested the Governor of Alabama, some time ago, to detach a force of five companies, either volunteers or draughted militia, for service in this Territory ; and, also, to complete Lieutenant Colonel Cawfield's battalion of twelve months' volunteers to a regiment. I also requested Governor Schley, of Georgia, to detach a regiment of twelve months' volunteers, the services of which had been offered to me last fall, but which I did not then feel myself authorized to accept. I have not heard from either of the Governors—probably from the difficulty of communications reaching me. If the force asked from them should be sent to me, it will supply the place of the Tennesseans ordered to Tampa Bay ; it would supply the place of the discharges, and enable me to end the war this winter. This post I find entirely out of position ; but, as supplies are already collected here, I must use it as a depot. Fort King is also out of position ; but as you have directed that it be occupied, I shall re-establish it, if I can spare troops to garrison it. I have already established a depot, twenty-five miles in advance of Tampa Bay, on the road to Fort King, and propose to establish another on the same road, at the point where it crosses the Withlacoochee. I shall also establish a post at Punta-Rassa, near the mouth of the Langbell river, which falls into Charlotte harbor ; but, to effect these important and absolutely necessary objects, force is required.

A post has been established by Governor Call, on the Withlacoochee, twenty miles above its mouth. If the Indians should remain on that river, another post must be placed near the Cove. With these posts established and supplied, the war may be carried on successfully by light detachments, operating without baggage, and striking the enemy promptly and unexpectedly wherever he may be found.

As an act of justice to Governor Call, I take the occasion to remark, (and I stake my professional reputation on the correctness of the remark,) that no man could, under the circumstances in which he has been placed, have accomplished more than he has done. He had the summer, it is said in the public prints, to make his arrangements for a winter campaign ; but he could not establish depots without force to defend them. And it is to be observed, that he entered upon his command under circumstances of embarrassment, which did not exist when the campaign of last year commenced. He found the country exhausted ; and not only all the positions occupied during the campaign abandoned, but the whole country, from the Suwannee to the Atlantic, except Tampa Bay and St. Augustine, occupied by the enemy. His plan of campaign was admirable ; but there were circumstances which he could not control that prevented its execution. If I should fail, (and, unless I have more force, I certainly shall,) the country can be completely defended by mounted rangers only, in connex-

ion with the depots which I propose to establish. The rangers should be raised during the present winter, and should have a rate of pay to command the services of the best men. The pay of the regular troops, including the officers, should be doubled, to secure them the ordinary comforts during their service in Florida. Let me entreat you, as you regard the best interests of the service, to impress upon Congress the necessity of putting the army upon a better footing. I wish nothing myself, and, if justice can be done to my brave companions, I will cheerfully serve out the campaign without pay or emoluments. I shall commence operations immediately with the utmost vigor which the means at my command will permit, and shall keep you constantly advised of my progress.

With high consideration and respect, I am, sir, your obedient servant,
TH. S. JESUP.

The Honorable B. F. BUTLER,
Secretary of War, Washington City.

VOLUSIA, (FLORIDA,) *December 5, 1836.*

SIR: I was not able to obtain the means of transportation for even ten days' supply of subsistence and forage for the troops under my command at Tampa Bay until the 17th of last month: the mules sent for that purpose from New Orleans were entirely unbroken, and it was not until the 27th that I was able to commence the march on the Withlacoochee. When the troops had been put in motion, I received intelligence that Governor Call had reached that river on the 13th, had swept the Cove, and had, after driving the Indians, marched across the country to this post.

Immediately countermanded the march of the troops, and, putting myself at the head of four hundred mounted men, on the 27th ultimo pushed through the country, and joined the Governor last night.

On the 3d instant my spy company succeeded in capturing an Indian near the Ocklawaha river, from whom I received information of the situation of a village, inhabited by negroes, on the lake in which the river has its source. I detached Lieutenant Colonel Cawfield, of the Alabama twelve months' volunteers, with orders to burn the village and capture or destroy its inhabitants.

The result of the expedition was the destruction of the village and the capture of forty-one negroes. The service was performed in the most prompt and handsome manner.

I have not yet received a return of the troops at this post, nor of the supplies; but I hope to have both to-day. After which, I shall be able to form some idea of the operations proper to be undertaken.

I have not yet received the instructions from the War Department to assume the command in Florida. They were forwarded, via Fort Clinch, to Tampa Bay; and the messenger had not arrived there when I took my departure for this place. Governor Call, however, has given me a copy of them, and will turn over the command to me as soon as the necessary returns can be prepared.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Major General, commanding army of the South.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, (Florida,) December 9, 1836.

SIR : The command of the forces in Florida was transferred to me yesterday. I would greatly have preferred that Governor Call had been permitted to close the campaign. He has had difficulties to encounter, of which no man can form an adequate idea who has not been here. I have examined carefully the state of the service, and have looked into every matter connected with the recent operations; and I am sure that no man could have done more, under the circumstances. He established this post, and took every preliminary step to supply it.

Supplies and means of transportation are rapidly arriving, and, had he retained the command, he would soon have struck an important blow.

The term of service of the Tennessee volunteers will expire in a few days. To avail myself of their services in the attack I propose to make, I shall move sooner than in my own judgment I ought to move, and may have to fall back; but I am so arranging my depots, that if compelled to relinquish one object, I shall readily strike another. If I should not succeed in dislodging Powell, I can, on returning to this place, strike Micanopy, Philip, and Cooper, who are about a day's march from each other, each with from one hundred and twenty to two hundred Indian and negro warriors—the latter, perhaps, the more numerous. My object will be to strike them in succession, and prevent them from concentrating.

By all means let me have the sixth regiment; and if any companies of the second regiment dragoons have been raised, let me have them.

This, you may be assured, is a negro, not an Indian war; and if it be not speedily put down, the South will feel the effects of it on their slave population before the end of the next season.

Unless the army be placed upon a better footing, it will disband: discharges are numerous, and no old soldiers re-enlist. The officers cannot subsist on the miserable pittance now allowed them; they should, upon principles of common justice, be placed on a footing with corresponding grades in the navy. You, sir, will command their gratitude, and render an important service to the country, by taking the lead in this matter.

Assure the President that whatsoever promptness and energy can accomplish shall be done.

With high consideration and respect, I am, sir, your obedient servant,
TH. S. JESUP.

Hon. B. F. BUTLER,

Acting Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, (Florida,) December 12, 1836.

SIR : A sufficient supply of subsistence having been received yesterday to enable me to move with twenty days' rations, the army will march to-day. The advance is now moving. At the Ocklawaha I shall have the choice of two objects—Micanopy, who is about thirty miles south of the point where I shall cross that river; and Powell, who is about fifty miles southwest of it.

I propose, after placing the train safely across the Ocklawaha, to have a sufficient force to protect it; and, with the remainder, make a forced

and strike either Micanopy or Powell ; and, if successful with the one, immediately attack the other.

My movements are not in accordance with my own judgment ; they are controlled by the necessity of availing myself of the few days that yet remain of the term of service of the Tennessee brigade ; and I am, therefore, compelled to march on their route, to the mouth of the Withlacoochee, where they expect to embark for New Orleans, on their way home. This movement will enable me to strike at the two chiefs mentioned above, and to cover the frontier : but had I the control of my measures, I could employ the force to march to more advantage, in a succession of attacks on the Ocklawaha, and thence down the Withlacoochee.

Without a strong corps of wagon-drivers, muleteers, and laborers, it is almost impossible to act efficiently in this country. The Southern militia do not labor for themselves, and consequently cannot or will not labor for the public. The regular troops are on constant fatigue duty, and a road leading from camp, and on which we are to march to-day, requiring repairs. I sent instructions to General Armstrong last night to move forward his brigade and cause the necessary repairs to be made. He replied that it would be impossible, as his men would not work. I shall, therefore, be compelled to put this labor also upon the regular troops. At the same time that I consider Southern volunteers inefficient for many purposes, it is due to them to say that they are efficient whenever rapid marches are to be made, or an enemy to be fought. Add to them such a corps as I propose, and you make them efficient for every purpose.

Cannot the 6th regiment of infantry, and the companies of the 2d regiment of dragoons, already raised, be sent to Florida? Volunteers can be more readily obtained for service on the Southwestern frontier than for Florida.

I am, sir, most respectfully, your obedient servant,

TH. S. JESUP,

Major General commanding.

THE HON. B. F. BUTLER,

Acting Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, (Florida,) December 12, 1836.

SIR : The term of service of the Tennessee volunteers will expire in a few days ; I shall then have force barely sufficient to protect the necessary depots, and the trains that supply them. Cannot the sixth regiment be sent to me? It is now at Natchitoches, and could reach Tampa Bay in three weeks from the receipt of the order. If the companies of the second regiment of dragoons, already raised, were here, they would be sufficient to protect the train from Black creek to the Withlacoochee, and to cover the frontier, and would leave the remainder of the force disposable.

Cannot something be done for the army? The officers should be placed on a footing with those of the navy ; and all officers or soldiers who are fighting, or have served, in Florida, below the rank of major general, should receive grants of land.

It is impossible to obtain an accurate return of the troops—of course, no return can be made.

If I had one thousand volunteers or militia to take the place of the Tennesseans immediately, I should be able to terminate the war in sixty days. The prospects are flattering, even now ; but I am not sanguine of success. The country is not so difficult as it has been represented, but the difficulties which we find arise from the entire destitution of every kind of supply.

To pursue the Indians in the swamps, I must have good double-barrelled guns ; and to enable me to keep the field a sufficient length of time to render any service, I must have portable soup. I shall order both.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Camp Dade, December 17, 1836.

SIR : The army under my command, consisting of the Tennessee brigade, and Alabama battalion, with about three hundred regular troops, and five hundred Indian warriors, arrived in this vicinity last night. To-day I have had the Wahoo swamp completely examined : not an Indian is to be found ; and the friendly warriors are of opinion that they have all gone south. From the appearance of their trails, they are supposed to have retreated soon after their last battle with the troops under the command of Governor Call.

I propose to establish a post on the Withlacoochee, at the point where the Fort King road crosses it ; and, after supplying it, to endeavor to cut off the several detachments into which the hostile Indians are divided. The service will be arduous and difficult ; but, if a small force be sent to me, sufficient to hold the necessary posts, and the 6th regiment and the companies of the 2d dragoons already raised be added to my active force in the field, I shall not despair of terminating the war this winter. Should I fail, the country can be secured during the next summer only by a cordon of posts, with mounted rangers, constantly patrolling between them. The rangers should be raised for twelve months, but be liable to serve during the war ; and their pay should be such as to secure the services of the best men.

The regular troops who serve here, from brigadier down, should have grants of land ; and increased pay should be allowed them.

The Cove of the Withlacoochee shall be examined to-morrow and the day after ; but, from present appearances, I have no expectation of finding an Indian.

I have subsistence with me for twenty days ; which, when the Tennesseans leave me, (and the term of service of several of the companies has already expired,) will serve my diminished force for a month.

The horses will be sent to Tampa Bay for forage, and Colonel Henderson and Lieutenant Colonel Foster will be ordered to join me, with their disposable force and twenty-five days' subsistence.

To carry on the war in the swamps, I have directed Captain d'Lagnel to purchase two hundred double-barrelled guns, and to require a small

piece of ordnance from the arsenal at Washington ; which, I am told, may be transported on mules.

Neither artificers nor laborers can be employed here ; and I have found it necessary to require Captain d'Lagnel to bring into the field a travelling forge, with a number of ordnance artificers.

To obtain wagon-drivers, the quartermaster has been obliged to allow the volunteers two dollars a day ; they could not be obtained for less.

I am, sir, most respectfully, your obedient servant,

TH. S. JESUP.

The Hon. B. F. BUTLER,

Acting Secretary of War, Washington.

HEADQUARTERS, ARMY OF THE SOUTH,

Camp Dude, (Florida,) December 18, 1836.

SIR : Since I wrote to you yesterday, I have resolved, from a careful consideration of all the circumstances of the country, and the army, to place a depot at this place, leave a garrison of one hundred and fifty men to defend it, and, with the remainder of the force under my command, to proceed down the Withlacoochee, scouring the country on both banks to its mouth.

By the movement proposed, I shall be able to drive out all the Indians who may remain on or near the river, to cover the frontier, and ascertain the practicability of pushing steamers or other boats up to the forks. If boats can be brought up to that point, or within a day's march of it, the Indians must forever abandon their settlements in the Cove and the swamps of the river.

The Tennessee volunteers will continue with me until this movement be performed, though the term of service of many of them has expired, and that of all will probably have expired before it be accomplished.

The prisoners whom I have taken inform me that it is the purpose of Micanopy, Jumper, and Abraham, to fly before the army and avoid a battle. They will hide themselves in the dense swamps and hammocks of the Everglades. Oceola has declared his intention to maintain himself as long as possible on the Withlacoochee, and then fly to the south ; but the prisoners say he will never surrender.

On my arrival at the mouth of the river, the Tennesseans will embark for New Orleans, on their return homeward. I have not yet been apprized of any force having been ordered to replace them. My last despatches from the Department, however, are dated more than a month ago, and I have not yet received the original of my instructions of the 4th ultimo, to take the command of the army ; but I have a copy of the copy sent to Governor Call, under which I am acting.

With the force mentioned in my letter of yesterday, I shall be able to keep the field, and, if the enemy can be found, probably bring him to terms.

I hope at the mouth of the Withlacoochee to receive any despatch that may have been sent to me from the Department during the last month or six weeks ; and have the honor to be,

Most respectfully, your obedient servant,

THOMAS S. JESUP.

Hon. B. F. BUTLER,

Acting Secretary of War, Washington City.

FORT BROOKE, *December 23, 1836.*

SIR: After writing to you on the 18th instant, I ascertained from my Indian scouts and spies, whom I had kept constantly employed in scouring the country, that not a sign of hostile Indians could be discovered at or near any of their strongholds on the Withlacoochee. All the trails are in a southeasterly direction; and Powell, if he has not been deserted by his followers, has probably determined to draw the war into the neighborhood of Micanopy, Jumper, and Philip, to compel them to adhere to him with their warriors. As the enemy could not be found where we expected him, and the term of service of the Tennessee volunteers having expired, I determined to avail myself of the movement of that corps to send the wagon-train to Tampa Bay for supplies for the depots which I had found it necessary to establish.

I left Brigadier General Armistead in command of the forces on the Withlacoochee, with orders to scour the country from Fort King to that river, and to take the most active measures to find the enemy; and I came through with a small escort to Fort Foster, for the purpose of designating the points to be occupied as depots in addition to those already established. I have ordered Lieutenant Colonel Foster to erect a work on the Withlacoochee, at the place where the Fort King road crosses it. It will be completed in a few days, and a wagon-train will leave here to-morrow to supply it with subsistence, forage, tools, &c.

Learning, by express from Colonel Henderson, of the arrival of Commodore Dallas, I came hither to arrange with him a plan of combined operations for the campaign. He is several miles below, but I expect him here to-day. I have established an abundant depot at Fort Foster, twenty-five miles in advance of this place. The fort which Lieutenant Colonel Foster is erecting on the Withlacoochee is twenty-nine miles in advance of Fort Foster. Fort Armstrong is fifteen miles farther north, near the point where the road from Volusia unites with the road to Fort King. The two latter posts command the principal retreats of the enemy on the Withlacoochee. These posts, with that near the mouth of the Withlacoochee, and that at Volusia, will be sufficient for the present.

Should it become necessary to re-establish Fort King, I will cause a strong work to be erected, which may be held by a few men, and supply it from Fort Drane. The moment my depot shall be filled, which will be in a few days, small as my force is, I shall commence active operations in the field, and shall prosecute them with the utmost vigor until I either beat the enemy or be beaten by him.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP.

The Hon. B. F. BUTLER,

Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Brooke, Tampa Bay, December 23, 1836.

SIR: Since I wrote you this morning, Commodore Dallas has arrived, and has offered to furnish men from the ships of war under his command to defend my depots, and to perform any other service at the posts or in water expeditions which the public interest may render necessary.

The commodore has acted on this occasion with the same disinterested and magnanimous zeal which distinguished his conduct during the Creek campaign. His co-operation, which I most readily accept, will relieve me from many embarrassments, and will enable me to take the field several days sooner than I had hoped. He will send an officer with a party of sailors, to ascertain the practicability of navigating the Withlacoochee, and will furnish the force to garrison Fort Clinch on that river.

I have just received the original of your letter of instructions of the 4th ultimo. You shall not be disappointed in my efforts, though you may be in their results. The country is so extensive, and contains so many hiding-places for large as well as small parties, that the enemy may escape me.

Major Nelson, with a battalion of four companies of mounted volunteers from Georgia, arrived and reported this evening. He came through direct from Fort Clinch to this place. Two companies of his battalion were retained by Brigadier General Wool in the Cherokee country. The four companies here amount to about two hundred men. These, with the Alabama volunteers, will make my mounted force near five hundred men.

I am greatly embarrassed by the difficulty of obtaining laborers, drivers, and artificers. If the war should not be brought to a close in a few weeks, I shall send to Cuba for mule-drivers, and to New Jersey for artificers and laborers.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP.

The Hon. B. F. BUTLER,

Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, December 27, 1836.

GENERAL: Your letter of the 12th ultimo, in relation to depredations committed on the plantation of the Hon. John Forsyth, I have the honor to state has been received. I am instructed to enclose two letters on the subject, presented by Colonel Henderson, commandant of the marine corps, in answer to inquiries made by General Jesup; and to state that these contain all the information that the general has been able to collect. Personally he knows nothing, as he was not in the neighborhood, nor even in command of the army, at the period at which the depredations are said to have been committed.

I am, general, most respectfully, your obedient servant,

J. A. CHAMBERS,

Lieutenant and Aid-de-camp.

Brig. General R. JONES,

Adjutant General, Washington.

FORT BROOKE, *December 24, 1836.*

GENERAL: Your letter of the 12th November, covering an affidavit of Abraham Collins, has been received. I enclose a communication from Lieut. Lindsay in relation to it: he was then acting as quartermaster.

On the evening of the 24th June last, five companies of the marine corps under my command, with a train of wagons, encamped on the plantation of Mr. Forsyth. On the 25th, the troops, with most of the wagons, crossed the Chattahoochie, and occupied a position near the bank of the river opposite the said plantation.

At this time the cotton was almost entirely overgrown with weeds and grass, from not having been worked in proper season. It is not in my power to state why this cotton-field was not worked. The field was directly on the river, and within rifle range from the opposite bank. The river was so narrow immediately at the place where the ferry was established, that the captain of a steamboat fired a pistol three times at a tree on the opposite side, and hit it each time.

The opposite side of the river, for many miles above and below, was in possession of the band of Creek Indians most actively engaged at that time in hostilities against the whites. This was the case at the most critical period for the cotton crops. This may have prevented Mr. Collins from working this field.

I recollect Mr. Collins informing me that the horses of Captain Love's company were turned into the field, and that he had protested against it. That officer may have supposed that all intention of working the field had been abandoned, and therefore concluded that there could be no impropriety in turning the horses into it.

The arrival of the marines, so far from being injurious to the operations on the place, at once gave security to every thing on it. Two wagons were employed in hauling timber through it, to construct a field-work on the opposite bank. I presume they made but one track through the field, and the injury sustained from this was certainly requited by the entire security to the slaves employed in working it.

Jim Henry, with the only party of hostile Indians of any consequence then in arms, occupied the swamps within a few miles of the position taken by the troops under my command. If Mr. Collins believed that the field could be worked with any advantage at this time, the security given to the negroes by the troops should have been considered by him as a full offset for the small injury sustained from the passage of the men and wagons through the field.

Under these circumstances, I am led to the belief that Mr. Forsyth's interests were rather promoted by the presence of the marines on and near his plantation, than injured.

I remain, general, with great respect, your obedient servant,

ARCH. HENDERSON, *Col. Commandant.*

Brig. General R. JONES,

Adj. Gen. U. S. Army, Headquarters, Washington.

FORT BROOKE, TAMPA BAY,

December 24, 1836.

SIR: I have carefully read the deposition you handed me of Abraham Collins, of Muscogee county, Georgia, on the subject of depredations committed on the plantation of the Hon. J. Forsyth. As the acting quartermaster of marines, I am enabled to state, that, so far as the corps of marines are concerned, no injury was done by them to the cotton crop

during the one night that we were encamped there. In selecting the ground of encampment, as was my duty, I was particularly careful to place the corps immediately on the river bank, (the main road leading directly to it,) where we could not possibly interfere with the growing cotton. Indeed, so particular was I upon the location of the encampment, that I expressed my solicitude to the overseer, Mr. Collins, about the crop, and observed that every effort should be made not to injure it. He replied to my observation, by saying that it was then too late to preserve the cotton, the rank growth of grass having obtained the ascendancy, and that I need not be particular, but encamp where I pleased. Subsequently, I frequently heard Mr. Collins observe that Captain Love, with his lawless company, had ruined his cotton-field, and that he had often threatened to shoot the horses they had turned in there. The overseer is, doubtless, conscientious in his deposition; but abundance of proof can be given that he has asserted very little fact in the second page. The wagons and horses, as it is well known to you, sir, were, with the exception of two, all on the west bank of the Chattahoochie during the three weeks he alludes to. But it is useless to remark on the remainder of the letter. The Hon. J. Forsyth would have been sufficiently served, if his overseer had not touched upon the depredations committed on his property after it had been destroyed by the Georgia volunteers. I will simply add, that I conscientiously believe the crop was destroyed by their wantonness.

I am, sir, very respectfully, your obedient servant,

G. S. LINDSAY.

Colonel A. HENDERSON,
Commander of Marines.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, December 27, 1836.

GENERAL: When the Washington city volunteers joined the army, they were reported by their captain as having been mustered into service for twelve months. Many of the men, however, state that they entered only for six months; and, if they were mustered for a longer period, they were deceived, and it was contrary to their intentions. I am commanded by the general to ask an official statement of the facts in the case, and to suggest, that if the company have been deceived, and were mustered for a longer period than they intended, whether it would not be advisable to have them discharged. The company has performed its duty faithfully; and, in every case, met the approbation of the officers under whose immediate command it has served.

I am, general, most respectfully, your obedient servant,

J. A. CHAMBERS, *Lieut. and A. D. C.*

General R. JONES,
Adjutant General, Washington.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, January 1, 1837.

SIR : The principal Indian chief of the regiment of Indian warriors in the service of the United States came in yesterday, and brought me reports from Brigadier General Armistead, commanding on the Withlacoochee, and Major Morris, commanding the Indian force. Occupied as every one about me is, in active preparation for the field, I cannot send copies of the reports ; but no Indians were found in that part of the country, and all the information which I have been able to obtain leads me to the belief that the body of the nation are south and southeast.

The troops in the interior are actively engaged, and I shall join them immediately. Commodore Dallas has sent sixty sailors to garrison Fort Foster, twenty-five miles east of this place. He despatched a garrison yesterday to Fort Clinch, and has promised a garrison for this place : this will increase the active force for the field. There is so much sickness, however, among the volunteers and regular troops, that I shall not have more than nine hundred or a thousand of them altogether for active service, and at least a hundred of them will be required for convoys. The Indians are entirely broken down, most of them are sick, and I expect no further service from them. They will go home the last of this month. Such of them as are fit for service I will prevail upon to accompany me, if possible, on an expedition against the principal chief of the Seminoles, Micanopy. He is said to be within four days' march of me.

General Gaines has ordered the 6th regiment to join me.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,
Major General.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Armstrong, (Florida,) January 10, 1837.

SIR : I have only time to say that a detachment from this army surprised a camp of Indian negroes, and made sixteen prisoners. They are of Powell's band, and the mounted men are now in full pursuit of that chief. The enemy is nowhere found in great force. The great body of the Seminoles are said to be south. The moment the regular troops come up, which will probably be to-morrow, I shall either send or take a heavy detachment in that direction.

I have the honor to be, sir, your obedient servant,

T. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, NEAR THE COVE OF THE WITHLACOOCHEE,

January 12, 1837.

SIR: In my last letter I informed you that the mounted men of my command were in pursuit of Powell. Thirty-six negroes, in addition to those already reported, (16,) have been captured by Lieutenant Colonel Cawfield's battalion and the Indian warriors; from them we learn that the Indians have entirely dispersed, and that Powell has with him only three warriors and his family. One of the negroes, Primus, who was sent as a messenger to the Indians by General Scott or Clinch during the last winter, and remained with them, says that he is on the Withlacoochee, sick, and that he can collect about a hundred warriors. Learning from the prisoners that the Tallahassee chief is on the Withlacoochee with his warriors, I despatched Lieutenant Colonel Foster down the south side of the river, with a small battalion of infantry, a company of artillery, and Major Nelson's battalion of mounted Georgians, altogether about three hundred men; and moved down the north side of the river with the marines, a detachment of artillery, a battalion of Alabama volunteers, and a detachment of Indian warriors—in all, about seven hundred men—for the purpose of clearing the country on both sides of every hostile band.

The Tallahassee Indians are said to be in the neighborhood; Powell also. Two days will be employed in examining the swamps, when, if the enemy should not be found, I shall proceed down the river, unite with Lieutenant Colonel Foster, and then be governed by circumstances. If I should not hear of the enemy below, I shall return to Fort Armstrong, and immediately proceed against Micanopy and Jumper, who, I have good reasons to believe, are on the head-waters of the Ocklawaha. The campaign will be tedious, but I hope successful in the end. I am not, however, very sanguine; the difficulty is, not to fight the enemy, but to find him. I am unable to furnish returns, at present, of the force under my command. The difficulties in regard to transportation are such, that every officer is obliged to carry several days' rations in his haversack. I often carry subsistence sufficient for six days. The means of making correct returns are not, therefore, within the reach of any officer of this army. The blank returns to which you refer have not been received.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Camp Izard, January 17, 1837.

SIR: The army under my command has swept the swamp of the Withlacoochee, on the north side, from Fort Armstrong, at Dade's battle-ground, to this place; and a detachment under Lieutenant Colonel Foster moved down the south side to Fort Clinch. The result of our operations has been the capture of fifty-two negroes and three Indians, and the positive knowledge that there are no Indians on the river, ex-

cept small parties who are flying through and hiding in the swamps, with no other means of subsistence than roots, palmetto cabbage, and occasionally indifferent beef.

I moved down to Fort Clinch with the mounted men on the 15th, where I met Lieutenant Colonel Foster, and, learning from a prisoner that the women and children with the aged and sick of the Tallahassee and Ogechee Indians occupy a position in a swamp about thirty miles south of Fort Clinch, I detached Lieutenant Colonel Foster yesterday with about four hundred regular troops and Georgia volunteers, and a hundred Indian warriors, to attack, and, if possible, capture them.

I have to-day ordered Major McClintock to Fort Drane, with about eighty regular troops, to take the command of that post, and endeavor to drive off the small bands of Indians who infest that neighborhood. Powell is flying, it appears, with his family and a band of not more than three warriors. The prisoners now say that he has gone to Ocklawaha.

I shall return immediately to Fort Armstrong, where I shall send expeditions into the country between that post and Volusia; and I shall conduct an expedition myself against Micanopy, the principal chief of the Seminoles, on the head of the Ocklawaha.

A part of this army has been on this river actively engaged in examining its swamps and hammocks since the 17th of last month. They have constructed two forts, and erected bridges over both branches of the Withlacoochee.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Armstrong, January 19, 1837.

SIR: I have this moment arrived at this post in advance of the troops, having completely swept the swamps and hammocks of the Withlacoochee, from the Fort King road to Fort Clinch; and I am positive that there are no parties of Indians exceeding ten warriors on the river or in its neighborhood.

The prisoners represent Powell as flying from one hiding-place to another, with only three warriors. I returned thither with a small escort to make arrangements in anticipation of the arrival of the troops, to carry on an expedition against the Indians on the head-waters of the Ocklawaha. In that expedition I had calculated on the co-operation of the 6th regiment of infantry, and its aid will be necessary. Seven companies of the regiment have arrived; but Major Thompson, who commands, has received orders to-day to return to the Texas frontier. If he returns immediately, I must abandon the proposed expedition.

I consider it of too much importance in its bearing upon the successful result of the campaign, to be given up; and I therefore feel it to be my duty to retain the regiment, until its place be supplied by other troops.

I detached Lieutenant Colonel Foster, from Fort Clinch, with five hundred regular troops, Georgia volunteers, and Indian warriors, against the

Tallahassee and Ogechee Indians, who had fled from the Withlacoochee, and have established themselves in the swamps south of the mouth of the Withlacoochee; and, in consequence of information from Fort Drane, I was compelled to detach Major McClintock with the third artillery of that post.

A small battalion of Alabama draughts have arrived at Tampa Bay, but I cannot use them for any military purpose, in consequence of the measles prevailing among them.

The dragoons promised in a communication from the Adjutant General had not arrived when I last heard from the officer commanding at Garey's Ferry, nor had the South Carolina draughts.

The Indian warriors are sickly, and will leave the service on the last of this month, in order to make arrangements to arrive in Arkansas in time to plant corn for the next season.

I have some reason to complain that orders should be published, directing recruits in large numbers to join, when the men have not been enlisted. A wrong impression is thus produced upon the public mind; and where error has got the start, it is difficult for truth to overtake it.

The service is a most arduous one in Florida; so much so, that not a man whose term of service expires will re-enlist.

I am happy to find that you have recommended a bounty in land to the soldiers; it should, in strict justice, be extended to the regimental and junior staff officers.

With high consideration and respect, I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
*Fort Armstrong, near Dade's
battle-ground, January 20, 1837.*

SIR: I arrived here yesterday with a small mounted corps, and a few Indian warriors from Fort Clinch; the marines and regular troops came in to-day.

All the swamps and hammocks, as far down as General Gaines's battle-ground, have been examined, with no other results than the breaking up of a negro settlement in the Pano Sauskee swamp, and the capture of fifty-two negroes and three Indians.

Powell was in the swamp with the negroes, but escaped, the prisoners say, attended by only three warriors. The Indians are represented as flying in small parties from swamp to swamp, almost naked. A part of them were represented by a prisoner to have taken refuge in a large swamp south of the mouth of the Withlacoochee. I have detached Lieutenant Colonel Foster to attack or capture them.

I came to this place to prepare for an expedition against the Indians, on the head of the Ocklawaha; but, on my arrival, I found that Major Thompson had been ordered to return with the 6th regiment to Louis-

iana. I was reduced to the disagreeable alternative of giving up the expedition, or retaining the 6th for a few days. The interests of the service, in my judgment, required the latter course.

I think the service will not occupy more than ten or fifteen days, when I shall direct Major Thompson to proceed to his former station.

From the small force under my command, I have to hold the interior of this country, protect the trains on long routes, and furnish garrisons for numerous posts. The service has been so severe, that the sick are increasing in an alarming manner.

I send you a morning report of the Alabama mounted battalion, by which you will observe that nearly a third of the whole force are sick; and the regular force is rapidly diminishing by discharges and sickness. About one-half of the warriors of the Indian regiment are sick, or convalescent; and that corps is so completely broken down by the severe service it has performed, as to be entirely inefficient.

The chiefs insist on returning to Alabama at the end of this month, to make arrangements for the removal of themselves and people to Arkansas.

They will have barely time to reach their new homes in time to plant their corn.

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Armstrong, January 21, 1837, half-past 9 o'clock, P. M.

SIR: An Indian runner has this moment come in from Lieutenant Colonel Foster's command, with intelligence of the troops having overtaken a party of hostile Indians and negroes, of which they killed two, and captured eleven Indians and nine negroes; the remainder escaped. The Indians are represented as desirous of peace; and I have directed Lieutenant Colonel Foster to send one of the prisoners to invite them to come in.

I march to-morrow morning, at sunrise, to the head of the Ocklawaha.

I have the honor, to be, sir, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Armstrong, January 21, 1837.

SIR: I have this moment received, by express from Fort Drane, your letter of the 4th inst. I shall find Volusia a valuable depot in my operations on the St. John's and the Ocklawaha, to the swamps of which

rivers all accounts concur that the enemy have retired. The troops have been actively employed, but we have accomplished little, except obtaining a knowledge of the country, and establishing a line of posts to command it.

I march at sunrise to-morrow morning for Hapapka, near the head of the Ocklawaha, where Micanopy, Jumper, Alligator, and other chiefs, are said to have concentrated their forces. If we can bring them to action, the war may be soon terminated ; but the danger is they will disperse, as the Indians on the Withlacoochee have done.

The prisoners say that some division exists in the councils of the chiefs, and that many of them are tired of the war. After showing them that we are able to follow them to their most secure retreats, I will endeavor to open a communication with them and offer them peace.

I have ordered Lieutenant Colonel Fanning to move up the St. John's to Topekaliga with the forces under his command, and as large supplies of subsistence and forage as he can transport, to attack the chief Philip, and to co-operate with me.

Lieutenant Colonel Foster is in pursuit of the Tallahasseees and Ogechees, south of the Withlacoochee; and Major McClintock has been ordered to Fort Drane, to secure that depot, and drive the Indians from the adjacent country.

Two companies of dragoons will be employed in clearing the country between the St. John's and the Suwannee, and General Hernandez is charged with the defence of the country east of the St. John's.

Most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

HON. B. F. BUTLER,
Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Armstrong, February 7, 1837.

SIR: I returned last night from an expedition to the head of the Coloo-sahatchee, about seventy miles southeast of this place, having left the army about thirty miles back.

The expedition has been so far successful that we came up with the enemy on the 27th ultimo, and the advance under Colonel Henderson attacked and beat them near the Hatcheeluskee. This led to a conference with the hostile chiefs, Jumper, Alligator, and Abraham, who have agreed to meet me, with the other chiefs of the nation, on the 18th instant, to discuss the terms of a peace, or rather to inform me whether they will accept the terms which I have offered.

I have required a strict observance of the terms of the treaty, and have demanded immediate emigration as an indispensable condition.

There would be no difficulty in making peace and giving immediate security to the country, if it were not for that condition ; but the chiefs say that their people cannot live in the country assigned to them, in consequence of the coldness of the climate. They are here below the 28th degree of north latitude, and will there be above the 34th. The negroes, too, who rule the Indians, are all averse to removing to so cold a climate.

Seven companies of the 6th infantry having arrived, I assumed the responsibility of taking them into the field: without them, I could not have executed my plan, which has resulted so favorably. To send any troops out of the country at the present crisis, would jeopardize all we have gained. I therefore feel it to be my imperious duty to retain them till the result of the conference with the hostile chiefs, to take place on the 18th, shall be known.

Should that conference result as we hope it may, all the troops in Florida will then be disposable for service elsewhere.

I hope that you and the President may approve of the measure; and I am, sir, most respectfully, your obedient servant,

TH. S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Armstrong, February 7, 1837.

SIR: I have the honor to report, for the information of the Secretary of War and the General-in-chief, that the main body of the army under my command was put in motion on the 22d ultimo, to attack the Indians and negroes in the strongholds which they were said to occupy on the head waters of the Ocklawaha.

On the 23d, Lieutenant Colonel Cawfield was detached with his battalion of mounted Alabama volunteers, Captain Harris's company of marines, and Major Morris's Indian warriors, accompanied by my aid, Lieutenant Chambers, to attack Osuchee, (Cooper,) a chief of some note, who was reported to have a large Indian force under his command, in a swamp on the borders of Hapapka lake. The chief was surprised, himself and three warriors killed, and nine Indians (women and children) and eight negroes captured. One of our Indian warriors was mortally wounded, and died on the 26th.

It was ascertained from the prisoners that the principal Indian and negro force had retired from the Ocklawaha, in a southeasterly direction, towards the head of the Coloosahatchee. Pursuit was immediately commenced, with no other guide than the track of their ponies and cattle.

The Thlawhatkee, (White mountains,) an elevated range of hills not mentioned by any geographer, nor described in any account of Florida which I have seen, was passed on the 24th. The ascent in many places was so difficult as to render drag-ropes and heavy details of men necessary to take the baggage-wagons over the heights.

On approaching the Thla-pace-hatchee, on the morning of the 27th, the herds of cattle feeding on the prairies, and the numerous recent trails, in various directions, indicated the presence of the enemy. The army was halted, and scouts sent out on different trails to obtain information.

Colonel Henderson, with Lieutenant Colonel Cawfield's battalion, Captain Harris's mounted marines, and Major Morris's Indian warriors, accompanied by my aid, Lieutenant Chambers, was detached to make a reconnoissance of the country in advance, with orders to attack the enemy if he should find them and deem his command sufficient, and report by express their force and position.

The enemy was found on the Hatcheeluskee, in and near the "Great Cypress swamp," and promptly and gallantly attacked. Lieutenant Chambers, with Price's company of Alabama volunteers, by a rapid charge, succeeded in capturing the horses and baggage of the enemy, with twenty-five Indians and negroes, principally women and children; the men having all fled into the swamp.

Colonel Henderson, leaving one company with the prisoners and horses, entered the swamp with the remainder of his command, drove the enemy across the Hatcheeluskee, passed that river under their fire, and drove them into a more dense and difficult swamp, where they dispersed.

The messenger first sent to report to me was killed: a second was more fortunate. The parties detached on other trails were called in; and Lieutenant Colonel Freeman, with a small force of pioneers and artillery, being charged with the defence of the camp, the disposable force of Brigadier General Armistead's brigade, and Major Graham's infantry, and Tustenuggee Hajo's Indian warriors, was moved forward to support Colonel Henderson. When the troops reached the point where the colonel had entered the swamp, it was ascertained that he was in rapid pursuit of the enemy, and was believed to be fully able to manage the force opposed to him.

The Indian scouts at this moment reported a large hostile force about two miles to our right. Major Whiting's battalion was left as a reserve, and the 6th infantry, with Major Graham's company of the 4th, and a small party of Indian warriors, was moved to the point indicated. The swamps and hammocks were entered and passed by the troops in perfect order; and the advance, under Major Graham, found a large Indian encampment, with fires burning and provisions cooking; the enemy having fled to the surrounding swamps.

As night was approaching, pursuit was impossible; and the troops returned to camp, where they arrived about nine o'clock. Colonel Henderson's returned after ten.

On the morning of the 28th, a prisoner was sent to Jumper, and the other hostile chiefs, with an offer of peace, on a strict fulfilment by them of the terms of the treaty; and the army moved forward, and occupied a strong position on the Toho-peeka-liga lake, within a few miles of the point at which the Cypress swamp approaches it, where several hundred head of cattle were obtained.

The prisoners returned on the night of the 29th, with pacific messages from Alligator and Abraham.

Abraham visited me on the 31st. He returned, and brought Jumper and Alligator, with two sub-chiefs, (one a nephew of Micanopy,) on the 3d instant. These chiefs entered into an arrangement to meet me at Fort Dade, with the other chiefs of the nation, on the 18th instant, and promised to send out runners and cause hostilities to be suspended until the conference shall have taken place.

I shall employ the intermediate time in preparations for the most vigorous prosecution of the war; and, from the information I have from prisoners, I shall probably be able to follow the enemy into their most hidden retreats, should they reject the terms offered to them.

The army commenced its return march on the morning of the 4th. I left it yesterday about thirty miles back, and came in last evening. It arrived to-day in good health and fine spirits. Colonel Henderson's re-

port, a copy of which is enclosed, will give you more detailed information of the battle of the Hatcheeluskee than I have been able to embody in this report. I unite with the colonel in the request that the officers whom he has named may be rewarded by the distinguished approbation of the Government; and I ask, as an act of justice, that the same distinguished approbation be extended to the gallant colonel himself.

Though but a small part of the force had the good fortune to engage the enemy in battle, all, without a single exception, have performed their duties in the most satisfactory manner. They have opened a road near seventy miles into the interior of the enemy's country, and to the immediate vicinity of his strongest holds, where the white man had perhaps never been before; and by their patient, cheerful, and persevering labors, have contributed as much probably to their discomfiture as would have been effected by a general and decisive battle.

To Brigadier General Armistead, Lieutenant Colonel Cawfield, Major Thompson, Major Whiting, and Major Morris, and to Colonel Henderson, Lieutenant Colonel Freeman, Major Kirby, and Major Graham, as well as to the officers and soldiers of their respective commands, I am under the greatest obligations for the prompt and efficient support which they have, on all occasions, given to me during the expedition.

Lieutenant Colonels Stanton and Brown, of the Adjutant General's department, Captain Crossman, quartermaster, Lieutenant Searle, principal commissary, Doctor Kearney, medical director, Captain Tompkins, ordnance officer, and my aids, Lieutenants Chambers and Linnard, merit my warmest commendation for the efficiency, ability, and zeal, with which they have performed their duties.

Every department and every individual has fulfilled my utmost expectations, and nothing necessary to be done has been left undone.

As an act of justice to all my predecessors in command, I consider it my duty to say that the difficulties attending military operations in this country can be properly appreciated only by those acquainted with them. I have had advantages which neither of them possessed, in better preparations and more abundant supplies, and I found it impossible to operate with any prospect of success until I had established a line of depots across the country.

This is a service that no man would seek, with any other view than the mere performance of his duty. Distinction or increase of reputation is out of the question; and the difficulties are such, that the best concerted plans may result in absolute failure, and the best established reputation be lost without a fault.

If I have at any time said aught in disparagement of the operations of others in Florida, either verbally or in writing, officially or unofficially, knowing the country as I now know it, I consider myself bound, as a man of honor, solemnly to retract it.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Hatcheluskee, 28th January, 1837.

GENERAL: Under your directions, I left the main army on the morning of the 27th, with the mounted Alabama volunteers, under Lieutenant Colonel Cawfield, and the company of mounted marines, under Captain Harris, and proceeded, accompanied by your aid, Lieutenant Chambers, on a southerly trail. Orders were left for Major Morris, with his command, to follow as rapidly as possible.

Soon after we left your position, a large number of cattle were collected and sent in under charge of portions of two companies of the Alabama volunteers. You were present, however, when this detachment was made.

The troops under my command then pursued the trail for about a mile, when we came to two diverging trails—one taking a southeasterly course, and the other more to the eastward. On these two trails the signs were the most recent, and Lieutenant Chambers, with a few men, proceeded to trace out one of them, while the rest of the troops, joined here by Major Morris, pursued the other. We had proceeded but a small distance, when a volunteer, sent by Lieutenant Chambers, brought information that fresh signs of women's and children's tracks were discovered, and requested a company to be sent to him. Captain Price's company of volunteers was ordered accordingly.

About a mile in advance, a negro man was captured at a fire. He informed us that a large number of negroes were in advance, and from forty to fifty Indians, with Abraham, were in our rear. He stated that he had left the latter body since sunrise in the morning.

The determination was promptly made to retrace our steps, and attack the Indians. Just as we were about to march, one of the volunteers came up and gave information that Lieutenant Chambers had overtaken a considerable force of Indians and negroes.

An order was given to proceed to his support, and a rapid movement made for that purpose. When we came up with him, he was in possession of two Indian women and three children, besides a body of negroes taken by the volunteers in the adjoining pine woods. He had also in his possession over a hundred ponies, a large quantity of plunder packed on them, as well as several stand of arms. The main body of the enemy escaped in the swamp, and Major Morris was ordered with his command to pursue and bring them in. He entered the swamp in accordance with the order.

The remaining troops were then ordered to form, to pursue the Indian force in our rear; and were ready to march, when a firing commenced in the swamp.

Lieutenant Searle reached us here, under your orders, to obtain information of our position and movements. When the firing commenced, and the order was given to move in support of Major Morris, he sent a messenger to you, and bravely joined the troops in entering the swamp.

About half-past eleven, the marines, preceded by the officers, entered the swamp, and were immediately followed by the Alabama volunteers. Four or five hundred yards after entering the swamp, we arrived at a deep stream, from twenty to twenty-five yards wide, and found Major Morris's battalion engaged with the enemy across it. A tree had been felled from each side, and formed the only way of passing it.

The troops, as they came up, were ordered to extend to the right and left, and by a cross fire to dislodge the enemy. Their fire soon slackened, and an order was given to cross the stream ; when Captain Morris (major of the 1st Indian battalion) gallantly advanced on the log, followed by Lieutenant Chambers, Lieutenant Searle, and Captain Harris. Lieutenant Lee (captain of the Indian battalion) swam the stream at this time, and joined the officers on the other side. I attempted to cross in this way, but had to return to the log, and crossed there. At this stream Private Wright, of the marines, was killed, and Sergeant Cunningham and Privates Sullivan and Foley wounded, but not dangerously.

Just as I was crossing, an officer was sent from Lieutenant Colonel Cawfield, on our right, for orders. He was directed to cross as rapidly as he could with his men, after the regulars and Indians had passed over.

We were then promptly joined by the marines, Morris's artillery, and some friendly Indians, and pursued the enemy as rapidly as the deep swamp and their mode of warfare admitted.

Another fire from them was received farther in advance, and their trail from the swamp was followed through an open pine woods, and traced till it again entered the swamp, three-quarters of a mile from the place it came out. We were here joined by Lieutenant Colonel Cawfield, with his men, who had been delayed in crossing the stream. The swamp was again entered, deeper and more difficult to pass than it had been. The friendly Indians were directed to enter on each flank, while the regulars and volunteers advanced in the centre. The regulars were ordered to lead the march.

After advancing about half a mile, the enemy again fired on us, but retreated on the advance of the troop. At this place Private Peterson, of the marines, was killed, and Corporal Stevens severely but not dangerously wounded. On a farther advance into the swamp, a few more guns were fired by the enemy, who retreated as the troops followed them.

Soon after this last fire, a negro man and woman, with a child, were taken, and an order was given for the return of the troops after 4 o'clock.

The wife and child of the negro man were kept, and he was sent to the enemy, to induce them to come in, as they had lost all their clothing, blankets, and other property.

The troops then returned to the position occupied by Major Whiting, and remained there till joined by Lieutenant Colonel Cawfield, who had remained in the open woods for one of his companies which had not come out of the swamp. He joined, some time after dark, with another negro prisoner, taken by his company. The troops then took up the line of march, and reached the camp of the main army at ten o'clock at night.

Captain Howle, acting assistant adjutant general, was reported by the surgeon too unwell to accompany the troops on this expedition, and was not informed of my intention to take command. He and Captain Crossman, however, entered the swamp with an expectation of taking part in the operations, but were not fortunate enough to join till the attacks were over. Such an effort is a sufficient evidence of what their conduct would have been had they succeeded in reaching us sooner.

The loss on the part of the enemy in the several attacks could not be ascertained, as the troops made no halt in the pursuit, and returned after dark. One Indian, however, and two negroes, were seen by the troops dead.

The result of this day's operations was, the capture of two Indian women and three children, and twenty-three negroes, (young and old,) over a hundred ponies, with packs on about fifty of them. All their clothing, blankets, and other baggage, was abandoned by the enemy, and either taken or destroyed by us.

In concluding this report, it gives me pleasure to state that Lieutenant Colonel Cawfield's command executed every duty assigned it with great promptness and firmness.

A portion of the friendly Indians also, who came under my eye, conducted themselves with great bravery.

The regular troops, both artillery and marines, displayed great bravery, and the most untiring and determined perseverance. The marines, however, I cannot refrain from mentioning in a particular manner. The killed and wounded show where they were, and render any further comment from me unnecessary.

Lieutenant Whitney, of Captain Harris's company, and Lieutenant Brent, of Captain Morris's, were with their companies, and shared in the dangers and fatigues of the day in such a manner as to reflect credit on them.

I would recommend to the particular notice of yourself and the Government the five officers who first crossed the stream, and who, in the pursuit, constantly led the van. It would be as gratifying to me as it would be just to them, that some marks of distinction be bestowed where such gallantry has been displayed.

I remain, general, with great respect, your obedient servant,
ARCH'D HENDERSON,
Colonel commanding 2d brigade army of South.
Major General THOMAS S. JESUP,
Commanding army of the South, Hatcheeluskee, Florida.

FORT DADE, February 17, 1837.

SIR: Since my report by Lieutenant Colonel Stanton, on the 7th inst., detailing the operations of the division of the army under my immediate command, in the expedition to the head of the Coloosahatchee, I have received a report from Lieutenant Colonel Fanning, with a copy of one made direct to you, of a handsome affair between the force under his command and the hostile Indians, on the 8th instant, at the head of lake Monroe. The conduct of both officers and soldiers deserves the highest praise; and I hope both may receive the reward due to gallantry and good conduct.

I send an extract from the report to me.

The enemy were evidently in great force, and as the battle took place not more than fifty or sixty miles from the point on the Hatcheeluskee, where the advance of my division fought, I am apprehensive they were reinforced by a part of the warriors opposed to me. If so, the Indians may not meet me to-morrow, agreeably to their promise. I shall not, however, regret having afforded them the opportunity to come in, as every claim of humanity will thus have been satisfied; and if we have to recommence the war, we shall have nothing with which to reproach ourselves, with regard to these unfortunate but ferocious people. I had.

previously to marching to the Coloosahatchee, directed Lieutenant Colonel Foster to resume offensive operations against the Indians on the gulf south of the Withlacoochee. Commodore Dallas detached a small force under Lieutenant Johnson, to co-operate with him. The combined force ascended and descended several rivers not previously known to us, and explored several extensive swamps and hammocks. They destroyed eight Indian villages and a quantity of Indian property: and on the 9th instant, Captain Allen, of the 4th infantry, fell in with a superior force of the enemy on the Wee-wa-ki-e-wa, attacked, routed, and dispersed them in the most gallant manner. Captain Allen, as well as the officers and soldiers under his command, behaved with great gallantry, and deserve every commendation. Allow me to claim for them the attention of the Government. Lieutenant Johnson, of the navy, with the officers and men of his command, are entitled to great credit for their persevering and prompt attention to the duties with which they were charged. That excellent officer was ready to support Captain Allen, and would have joined him had the action continued.

Lieutenant Colonel Foster conducted the operations confided to him in the best manner; and Major Nelson, with his battalion of Georgia volunteers, executed with energy and promptitude every duty assigned to him. They, with the officers and soldiers under their command, are entitled to all praise.

I enclose a copy of Lieutenant Colonel Foster's last report, with a copy of Captain Allen's report to him.

Lieutenant Hunter, of the navy, with his characteristic energy and enterprise, succeeded in ascending the Withlacoochee about ninety miles—more than seventy in a small steamboat, and the remainder of the distance in a barge constructed for the purpose.

His voyage has demonstrated that the river cannot be used for any valuable purpose in our operations in this country. The difficulties of navigation are such as could be removed only in time of peace, and the expense of much time and great labor.

So arduous and unremitted have been the labors of this army, and so rapid and constant its marches, that men and horses are broken down. The mounted men, to perform efficient service, should be remounted, and great additions must be made to the train if hostilities should recommence.

The entire absence of all means, except those brought into the country, renders it difficult to remain many days in succession in the field. The Indians cannot be pursued without mounted men, and to support their horses in the interior is almost impossible.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

Brigadier General R. JONES,

Adjutant General, Washington City.

[EXTRACT.]

FORT CALL, *February 12, 1837.*

GENERAL: On the 29th ultimo I was at the head of lake Monroe, with ample supplies for your army. On the 8th instant the enemy attacked us in great force.

He was repulsed, and did not show himself afterwards. On the 9th instant I received your orders to retire upon this place. I could have been here on the 10th, but deferred the retrograde movement until this morning; not willing the enemy should think we retired in consequence of the contest with him.

I herewith forward a copy of my official report to the Adjutant General; also, a copy of an order read at the grave of the late Captain Mellon, and which, I trust, you will approve. * * * *

I have the honor to be, general, with great respect, your most obedient servant,

A. C. W. FANNING,
Maj. 4th artillery, Brev. Lieut. Col.

Major General T. S. JESUP,
Commanding army in Florida, Fort Armstrong.

FORT DADE, *February 15, 1837.*

SIR: Upon my reception of your letter of the 8th instant, I wrote you that operations should cease in the left wing of the army of the South; and that Nelson's horse should be sent to Fort Drane. Neither of these things has occurred at the time as I then intended.

I send you orders Nos. 9 and 10. The movements directed in these orders took place on the 8th instant. I immediately countermanded them, and ordered the troops to camp, on the reception of your letter of the 8th instant; but their return could not be effected until, in the case of Nelson, two o'clock in the afternoon of the 10th instant; and in the case of Captain Allen, at eight o'clock in the evening of the same day.

The combined operations, directed in the orders referred to, although not perfectly successful, yet produced a greater knowledge of the country, and brought about, between three and four o'clock of the afternoon of the 9th instant, a very gallant little affair. At the extremity of an Indian village, on the Wiwakiakki, or Clear river, between Captain Allen and forty men of the 4th infantry, and about fifty warriors; in which the Indians were beaten, and driven, from a mile to a mile and a half, upon the run; the officers and men constantly pressing on them, cheering and firing as they advanced, stopped by nothing. Rivers, creeks, lagoons, and swamps were rapidly waded by these brave men, who neither counted the numbers of the enemy, the depth of the streams, nor halted an instant in their determined purpose, until night came on, when they were obliged to desist.

Towards the close of the affair, Sergeant Clendenning, a soldier of twenty years standing, in the 4th infantry, fell. His comrades bore his body to the boats, and rowed them to the steamboat American, a distance of ten miles. A coffin was made at Fort Clinch: and he was buried on an island at the mouth of the Withlacoochee. Such is often the death, and such should always be the funeral, of a soldier.

Lieutenant Johnson, of the navy, (who was placed under my orders by the soldierly feeling and correct judgment of Commodore Dallas at my first suggestion,) and his command, who were on the river in boats, the moment they heard the first firing, hastened up to the scene of action with all that promptitude which ever characterizes brave and tried soldiers. The commanding officer takes a pride in naming to you, general,

the gentlemen who compose this entire command. Captain Allen, of 4th infantry, commanded. He was assisted in the battle by Dr. Parsons, of the navy; Midshipman Watkins, and Mr. Bayly, a gallant and disinterested volunteer from the State of Maine. With Lieutenant Johnson were Passed Midshipman Borden and Midshipman Boudinot.

Lieutenant Hunter, of the navy, who deserves great credit for his late persevering and arduous trip up the Withlacoochee, in the steamer Crowell, also remained, at my request, at the mouth of the river (anxious and willing to participate in my operations) until the cessation of hostilities took place, when he passed into Tampa Bay. To all these brave soldiers, both officers and men, I have given all I have in my power to offer—my sincere and hearty thanks.

I regret to say, general, that Nelson's horse are unfit for immediate service. I was compelled to leave with Major Wilson, at the position selected by me for artillery and infantry of my command, nineteen horses and twenty-one men; thirteen more men are dismounted. One hundred and nine mounted men compose Major Nelson's command. With hay and oats they would soon be able to take the field. By easy marches, and without injury to them, I have brought them here, where they can go to Fort Drane, should things take an unfavorable turn, after the 18th instant, or immediately, as you may wish. They are now a few miles farther from Fort Drane than when at my camp, in the vicinity of Fort Clinch; but the fine corn here will more than compensate this; (the corn at Fort Clinch being bad;) and, if hostilities recommence, I can return as soon as an express would reach the position of my command from this place.

Hoping that all my acts may meet your approval, I am, general, with the highest consideration and respect, your obedient servant,

W. S. FOSTER,

Lt. Col. com. south wing of army of the South.

Major General T. S. JESUP, *commanding, &c.*

P. S. Thirty-two cattle captured on our last march.

MOUTH OF THE WITHLACOOCHEE,

February 10, 1837.

COLONEL: In obedience to your instructions, I proceeded with my company on board of the United States steamer America, commanded by Lieutenant Johnson of the navy. The boat got under way early yesterday morning, and grounded. After using every exertion to get her off, we found it impracticable, and accordingly embarked in Mackinac boats, and proceeded about twelve miles down the coast; whence we entered the Crystal river, and ascended it to a point about ten miles, where we discovered a fresh trail, and oysters which had been recently taken out of the river by the Indians. This point, or shell-bank, was surmounted by an oak tree, which was worn smooth by the Indians in ascending up for the purpose of reconnoitring.

I left the boats at this point, taking with me forty men. Lieutenant Johnson proceeded up the river with the boats. After a short distance, I entered an Indian camp, which had been hastily and recently abandoned. All their cooking utensils, camp equipage, &c. were left in the camp.

Large quantities of the compta root, cabbage tree, and its berries, were found here, besides skins of cattle, deer, and bears. The bayous and rivers afford oysters and fish in abundance; and I hesitate not to assert that man may here subsist from resources that are inexhaustible. Leaving this camp, about one quarter of a mile distant, we entered upon another, the most extensive I have seen in Florida; and, from the number of huts, I think it must have contained two or three hundred. Whilst we were examining this camp, Indians were discovered at the upper end. We immediately attacked them, and drove them about two miles, through several small hammocks and across two or three bayous, or estuaries of the sea, where we were arrested by deep water, and a dense hammock upon the opposite side. I here ordered a halt, to bring up my rear.

Having found a narrow strip of land over which we could pass, a charge was again sounded, and rapidly executed, under a heavy fire from the enemy, who forthwith retreated and dispersed; and I regret to state that Sergeant Clendenning was killed at this juncture.

Lieutenant Johnson, of the navy, upon hearing the firing, promptly joined me near this hammock, with all the force that could be spared from the boats. Night coming on, the Indians could not be pursued any farther. We retired to our boats, with the body of the sergeant, and, descending the river some distance, encamped for the night.

Midshipman Watkins, and Mr. Bayly, who volunteered his services, fought bravely throughout the whole affair.

I am, sir, respectfully, your obedient servant,

G. W. ALLEN,

Captain 4th infantry.

Col. W. S. FOSTER,

Commanding 4th infantry.

HEADQUARTERS, FORT DADE,

February 17, 1837.

SIR: I had the honor to receive last night your letter of the 4th ultimo, with a copy of the President's message and the documents accompanying it; for which, accept my acknowledgments.

I am waiting most anxiously the movements of the hostile chiefs. The attack on Lieutenant Colonel Fanning has caused me to doubt their sincerity even more than before; for, although I consider myself bound to allow them an opportunity to come in, I place but little reliance on their professions. There would be no difficulty in making peace if they were allowed to remain in the country, even as citizens, or individuals subjected to our laws; but many of them prefer death to removal. In all the numerous battles and skirmishes that have taken place, not a single first-rate warrior has been captured, and only two Indian men have surrendered.

The warriors have fought as long as they had life; and such seems to me to be the determination of those who influence their councils—I mean the leading negroes. To-morrow, however, will determine the question as to their sincerity. Should they refuse the terms which I have offered, the war must recommence, and there will be little prospect of closing it during the present season.

If I were as well acquainted with the country as the hostile chiefs are, I would undertake to defend it with five hundred men against as many thousand. My last march, as well as the operations of Lieutenant Colonels Foster and Fanning, has demonstrated that we can pursue the enemy into their strongest holds, but we cannot remain there a sufficient length of time to produce any lasting effect upon them.

We may conquer them in time, and may destroy them, it is true; but the war will be a most harassing one, and will retard the settlement and improvement of this country for many years to come. I am not disposed to overrate the difficulties which surround me; but, in communicating with you, it would be criminal to underrate them. The force I have is as large as could well be supplied, and as large, perhaps, as is necessary to carry on operations in any part of this country. I consider it amply sufficient to beat the whole force of the enemy if they were concentrated; but the enemy will not concentrate.

To enable you to judge of the difficulties of carrying on operations here, I beg of you to examine the map, and observe the dispersed state of the troops and the enemy. On the 27th ultimo, the advance of my division fought on the Hatcheluskee, seventy miles southeast of this place, at the head of the Coloosahatchee. On the 8th instant, Colonel Fanning fought at the head of lake Monroe, perhaps sixty miles northeast of my battle ground. On the 9th, Captain Allen fought a party of the enemy near the Gulf, at least seventy miles west of this place; and I have been compelled to detach a part of the dragoons to Newnansville, a hundred miles to the northwest, and another portion of that corps to operate against the Indians on Orange lake, fifty or sixty miles northeast of us. General Hernandez is to operate on the eastern side of the peninsula, from St. Augustine, south. Thus it will be seen that the forces composing this army are divided into six different corps, covering an extent of country at least a hundred and fifty miles square.

The posts necessary to be kept up are Fort Brooke, Fort Foster, Fort Dade, Fort Armstrong, Fort Drane, Fort Winder, Fort Harlee, and Fort Heileman, on a line or road from the former to the latter inclusive, a distance of one hundred and eighty miles; another post is necessarily kept up near the mouth of the Withlacoochee, one at Volusia, one at St. Augustine, one at Picolata; besides numerous other small posts which are absolutely necessary to cover the country and protect the inhabitants.

With such numerous posts and detachments, it will readily be seen that a large force cannot be employed in any single operation.

If the war should recommence, I shall break up some of the posts, in order to take their garrisons into the field.

February 18.—Abraham has just come in with a flag, accompanied by a nephew of the Indian chief Cloud, and a negro chief.

He repeats that Jumper, Holatuchee, Alligator, and others, are on the way, and will probably arrive to-morrow. I am yet doubtful of the result.

I have the honor to be, sir,

Your obedient servant,

THOS. S. JESUP.

The Hon. B. F. BUTLER,

Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, February 20, 1837.

SIR: The Indian chiefs were to have met me on the 18th, but they have not yet arrived. They have sent two of the sub-chiefs, with several Indians and Indian negroes, to inform me of the cause of their delay: the message is not satisfactory, but the Indians are slowly coming in. To be able to take the field promptly, if they should deceive me, I shall require at least four hundred horses. I have had scarcely any, except the broken-down horses of the Tennesseans, and the broken-down trains of Governor Call's army; and the consumption of horses by this service exceeds any thing I have ever witnessed before.

To reach Micanopy, I must have mounted men; and so severe has been the service which I have exacted of the mounted volunteers, that they have not among them a hundred horses fit for immediate service. I shall be under the necessity of ordering a purchase; and, for that purpose, must send an officer to Savannah. If peace should be made, the horses will probably sell for nearly their original cost; if it should not be made, I shall gain time by making the purchase immediately.

By the most extraordinary and unremitting exertions of the quartermaster's and commissary's departments, I have kept this army in the interior of the country, engaged in the most active operations, since the 17th December; and I shall keep it in the interior so long as there is a hostile warrior in the field.

I have the honor to be, sir, your obedient servant,

T. S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Secretary of War, Washington City.

FORT DADE,

February 22, 1837, 4 o'clock, P. M.

SIR: Alligator and Cloud (who commanded at Wahoo) have just arrived, and report that Holah-Touchee, second chief of the nation, will be here to-night. Jumper and Micanopy have not come. I am not yet sanguine as to the result, but hope that all may go as we desire.

I have the honor to be, sir, your obedient servant,

T. S. JESUP.

The Hon. B. F. BUTLER,
Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, February 25, 1837.

SIR: I have the honor to report that a portion of the hostile Indian chiefs, with a number of warriors, red and black, visited me at this place, in accordance with an arrangement made with Jumper, Alligator, and Abraham, on the 4th instant, at the head of the Coloosahatchee.

Neither Jumper nor Micanopy came in ; but Ho-lo-ah Toochee, second chief of the nation, and brother of Micanopy, attended as the representative of his brother and of the nation.

Ho-lo-ah Toochee informed me that runners had been sent to call in all the chiefs and warriors, to meet me on the 18th instant ; but that the Indians were so widely dispersed, that the information could not be sent to all in time. He declared that the Indians were all desirous of peace, but he could not say whether they would consent to emigrate. Micanopy requested him to say that the troops had driven him into a "bad swamp," from the good land on which he had formerly lived, and he desired to be allowed to remain there. I informed Ho-lo-ah Toochee that emigration was an indispensable condition of peace. He said Micanopy had not instructed him on that point. I informed him that I could enter into arrangements for peace with no one but Micanopy himself ; that I expected him here, and, if he desired peace, he must come : but he, as well as all the other chiefs and warriors, must distinctly understand that there could be no peace without emigration. Ho-lo-ah Toochee undertook to communicate with his brother, and Alligator with Jumper ; and they engaged that both those chiefs should visit me on the 4th of March.

Twelve hostages have been left with me, one of them a nephew of Micanopy. All hostile Indians north of the Withlacoochee and the road to Volusia are to withdraw south of that line, and are not to return north of it without a written permission from headquarters ; and those east of St. John's are also to withdraw to the west of that river, as soon as information can be communicated to them by runners. In the mean time, I reserve the right of establishing a post near the mouth of the Coloosahatchee, and one near the head of the St. John's ; and, also, of re-establishing Fort King, should I think proper to do so. I am also to continue the troops in active employment, on the frontier north of me, should circumstances require it. Peace may be the result of my conference with Micanopy, should he come in ; but I am not sanguine that he will come ; or, if he come, that he will consent to make peace unless emigration be abandoned. I therefore consider it to be necessary to continue the most vigorous preparations for an immediate and active campaign ; and, if the chiefs should not come in, or should refuse peace on the terms offered, I shall be able to recommence operations the moment they disperse.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES, *Adjutant General,*

Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Dade, March 6, 1837.

SIR : I have the honor to report, for the information of the Secretary of War and the General-in-chief, that I have this day entered into a convention with the Seminole Indians, by their second, third, and fourth chiefs, representing the principal chief, Micanopy, and the nation, for the

suspension of hostilities, and the immediate removal of the whole nation west of the Mississippi. I enclose a copy of the convention, or capitulation, from which it will be seen that I have granted to the Indians the most liberal terms. This I considered the dictate of policy as well as of sound economy. To have attempted the exaction of severe terms, might have led to a renewal of hostilities, by which millions might have expended, and many valuable lives lost by exposure to the climate as well as by the arms of the enemy.

As the Indians respect nothing but force, I shall be compelled to retain the troops, in readiness for active service, until a considerable portion of them at least take their departure for the West, which I hope will have been done before the 1st of May.

The wagon-trains were, in a great measure, broken down; in consequence of which, I ordered a hundred mules from New Orleans; and the horses of the mounted men being rendered, by the severe service they have performed, entirely unfit for service, and mounted men being absolutely necessary to pursue the scattered bands of Indians, should any of them determine not to come in, I ordered an officer to Savannah to purchase four hundred horses. On them I shall mount the dragoons, and a portion of the other regular troops, and shall thus be able to compel a full execution of the treaty; my depots being so arranged, that I can operate at any time—being [not] more than from thirty to forty miles from supplies.

I am, sir, respectfully, your obedient servant,

THOMAS S. JESUP,
Major General commanding.

Brig. General R. JONES,

Adjutant General, Washington.

Capitulation of the Seminole nation of Indians and their allies, by Jumper, Holoahtoochee, or Davy, and Yaholoochee, representing the principal chief Micanopy, and fully empowered by him, entered into with Major General Thomas S. Jesup, commanding the United States forces in Florida, this sixth day of March, one thousand eight hundred and thirty-seven.

Article 1. The chiefs above named, in behalf of themselves and the nation, agree that hostilities shall cease immediately, and shall not be resumed.

Article 2. They agree and bind themselves that the entire nation shall immediately emigrate to the country assigned to them by the President of the United States, west of the Mississippi.

Article 3. Until they emigrate, they will place in the possession of the general commanding the troops, hostages for the faithful performance of their engagements.

Article 4. The Indians shall immediately withdraw to the south of the Hillsborough. Those found north of that river, and a line drawn from Fort Foster due east from it to the ocean, without permission of the general commanding, after the 1st of April, will be considered hostile.

Article 5. Major General Jesup, in behalf of the United States, agrees that the Seminoles, and their allies, who come in, and emigrate to the

West, shall be secure in their lives and property ; that their negroes, their bona fide property, shall accompany them to the West ; and that their cattle and ponies shall be paid for by the United States, at a fair valuation.

Article 6. That the expenses of the movement west shall be paid for by the United States.

Article 7. That the chiefs, warriors, and their families and negroes, shall be subsisted from the time they assemble in camp near Tampa Bay, until they arrive at their homes west of the Mississippi, and twelve months thereafter, at the expense of the United States.

Article 8. The chiefs and warriors, with their families, will assemble in the camp to be designated by the commanding general, as soon as they can; and at all events by the 10th of April. Yaboloochee will come in at once with his people, and the other towns will follow as fast as possible.

Article 9. Transports will be ready to take the Indians, with their negroes, off to their western homes.

Article 10. Micanopy will be one of the hostages: he is to visit the commanding general, and will remain near him until his people are ready to move.

Article 11. All the advantages secured to the Indians by the treaty of Payne's Landing, and not enumerated in the preceding articles, are hereby recognised, and are secured to them.

Signed at Camp Dade, this sixth day of March, one thousand eight hundred and thirty-seven.

THOMAS S. JESUP,
Major General commanding.
[Signers.]

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, (Florida,) March 8, 1837.

GENERAL: Under instructions, I have the honor to acknowledge the receipt of yours of the 9th ult., addressed to Major General Jesup, wherein you acknowledge the receipt of sundry letters, orders, &c. from these headquarters.

One paragraph of your letter states, "It was not known that his (Major Dearborn's) command had been ordered from Irwinton, Georgia, to Florida, until the receipt of your order of No. 23, of the 11th of December, on the 19th of January." In answer to this paragraph, the general desires me to inform you that the removal of Major Dearborn's command from Irwinton to the lower part of Georgia was reported to your office as far back as the 20th of September, 1836, as shown by the accompanying letter, (copy,) which is now forwarded under supposition that the original must have miscarried.

I am, general, most respectfully, your obedient servant,

J. A. CHAMBERS,
Lt., A. D. C., and A. A. Gen.

Brigadier General R. JONES,
Adjutant General U. S. Army, Washington, D. C.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Dade, (Florida,) March 26, 1837.

SIR: I have the satisfaction to be able to report that the Seminole chief Yaholoochee, (Cloud,) who commanded at the Wahoo, is at Tampa Bay with his family; and he has about two hundred of his people in a camp near that post.

The principal chiefs on the St. John's, Tuskinia and Emathla, (Philip,) have sent messages to me: they will obey the order of Micanopy to emigrate. Philip sent his son, who informed me that his father had required Abiaca, (Sam Jones,) chief of the Micasukies, to join him and accompany him on his visit to Micanopy.

The war is no doubt ended, if a firm and prudent course be pursued; but a trifling impropriety, on the part of the white population of the frontier, might light it up again. The negroes rule the Indians, and it is important that they should feel themselves secure: if they should become alarmed, and hold out, the war will be renewed.

I shall send one battalion of the Indian warriors serving in Florida to Mobile, so soon as it can be mustered and paid, and transports be obtained.

The Alabama draughts will be sent off as soon as they can be paid: transports have been provisioned for them. The naval garrison, furnished by Commodore Dallas for Fort Foster, has been relieved and ordered to join the ship whence it was detached.

I shall discharge the volunteers and militia force as rapidly as the circumstances of the service will permit; and shall take measures to have the ordnance and other stores, not required in Florida, taken to the most convenient arsenals and store-houses.

I have the honor to be, very respectfully, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Dade, March 28, 1837.

GENERAL: In my report of the affair of the 27th of January at the Hatcheluskee, I omitted to mention that Major Thompson commanded the 6th regiment of infantry. That excellent officer moved, on that occasion, at the head of his corps, under General Armistead, to support Colonel Henderson, who commanded the advance of the army; and afterwards to attack the Indians concentrated in the "Cabbage hammock," to the right of the colonel's position. It is due to justice that the omission be noticed, and I respectfully ask that this note be published as a part of my report.

I have the honor to be, general, most respectfully, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, (Florida,) March 29, 1837.

GENERAL : I enclose a letter from Colonel Henderson of this day's date, which I will thank you to file with my report of the expedition to the head of the Coloosahatchee. Captain Price, as well as the other officers of the corps to which he is attached, was most efficient and useful throughout the whole of the operations in the field. On the occasion referred to, Lieutenant Chambers was detached from headquarters, and directed movements as a staff officer, but was not in command of the troops.

I have the honor to be your obedient servant,

THO. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, 2D BRIGADE, ARMY OF THE SOUTH,
Fort Dade, March 29, 1837.

GENERAL : In the report made to you on the 28th January last of the operations of the previous day, two mistakes were made inadvertently, and which are now corrected.

The first mistake is in not stating that the negroes taken in the pine woods were captured by a detachment of Captain Will's company of Alabama volunteers, sent with orders to Captain Price. The second error is in mentioning Lieutenant Chambers as commanding the force that captured the Indian women and children, the ponies, and other property of the enemy. Captain Price was in command.

I remain, general, with great respect, your obedient servant,

ARCHIBALD HENDERSON,
Colonel commanding 2d Brigade Army of the South.
 Major Gen. THOS. S. JESUP,
Comd'g Army of the South, headquarters, Fort Dade.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Brooke, (Florida,) April 3, 1837.

SIR : I have this moment received your letter of the 14th ultimo.

When I directed the dredge-boat to be taken to lake George and lake Monroe, I was not aware that it was in the service of the Engineer department; I had been informed that it belonged to the custom-house. It was, I believed then, and believe now, entirely idle, and I thought it would be more useful to the public in deepening a channel, through which supplies might be taken to the vicinity of the enemy's strongest retreats, than lying idle near the mouth of the St. John's. The instant I was apprized that the boat was in the service of the Engineer department, though the object for which it had been taken remained unaccomplished, I ordered it to be returned. The order, a copy of which is enclosed, was dated on the 1st March.

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

Brig. Gen. R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Dade, March 1, 1837.

COLONEL: When I directed that the dredge-boat should be employed and sent to lake George, I was not aware that it was in the service of the Engineer department. I supposed that it was kept in service by the Treasury Department, or the Territory, for the purpose of keeping the navigation of the St. John's open. Had I been aware of the service on which it was employed, I would not have ordered it. You will cause it to be immediately returned to the Engineer department, and will instruct Lieutenant Colonel Harney accordingly.

I am, colonel, most respectfully, your obedient servant,

THOS. S. JESUP.

Lieut. Colonel J. B. CRANE,

Com'ding district between St. John's and Suwannee,

Fort Heileman.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, April 23, 1837.

GENERAL: I will thank you to cause the enclosed paper to be placed on file in your office. I shall, perhaps, have occasion to refer to it hereafter, in connexion with the attempt of the Legislative Council of Florida to repeal their militia laws, in order to prevent the draught of four companies of men which I had required, not for service in the field, but to aid in defence of the settlements when the small force under my command was operating in the field, and was necessarily spread in detachments over a surface of more than a hundred and fifty miles square.

Many of the principal Seminole chiefs are with me, but their people come in slowly. The majority of the Indians doubt the sincerity of our promises; and those whose interest it is to renew the war—I mean unprincipled white men—spread reports that all who come in are to be executed. Both Micanopy and Jumper have complained to me that, when they had their people collected, and in march to this place, they have been alarmed by such reports and have disappeared.

I have the honor to be, most respectfully, general, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

CAMP, NEAR FORT DRANE, *January 17, 1837.*

ORDER.

The detachment will move to-morrow morning at 7 o'clock for the Oklawaha, and the surrounding country; five days' provision and forage for the detachment will be carried in the wagons. Those captains who refuse to march, will state on the bottom of this order.

JOHN WARREN,

Colonel commanding.

I refuse to obey the above order, because my company was raised and mustered into service for the protection of Fort Heileman, and to scour the country from the south branch of St. Mary's, thence to New river, thence to the head of Santa Fe and Picolata. I have, as I conceive, transcended my authority in having my men to escort a train so far as Fort Drane, though, according to the colonel's orders, they have not murmured, but escorted the train to Fort Drane. They, contrary to expectation, are ordered into the nation; which order they refuse to obey, believing that I am not clothed with power to order them farther. I have called for volunteers; out of twenty-three who were present, there were ten volunteers; I tendered those, who, with my own service, are accepted. I am ready, together with my command, to obey the orders of my colonel, to scour the country to a certain extent, east or north of Fort Drane. The articles which I have reference to have the muster of Major B. K. Pierce, subject to the approval of Governor Call, commander-in-chief of the troops in Florida; the articles were presented and recognised by the Governor, and we were regularly mustered, which my pay-rolls, which I have now in possession, will show.

JOHN G. SMITH, *Captain,*
commanding Whitesville rangers.

Having called on my company to obey the above order, they refuse, as they volunteered for the protection of the frontier of Drane and Nassau counties; they are at this time drawn from their homes, leaving their families exposed to the enemy, and wholly unprotected; they are now ordered to the Indian nation, and I feel myself in duty bound to disobey.

JOHN PILES, *Captain.*

My reason for disobeying the above order is, my men were summoned to go on a scout in pursuit of the enemy, who attacked Dell's negroes near the Santa Fe, and pursue them as far as Orange lake, if required. Contrary to their expectations, they were ordered to guard baggage-wagons as far as Fort Drane, which they complied with without murmuring. They are now ordered to the Indian nation; they were mustered for the protection of Jacksonville and its vicinity. The present order they consider illegal and unjust, and therefore refuse to obey.

A. WAHOMAN,
Lieutenant commanding detachment
Jacksonville Black Hawk rangers.

I refuse to obey the above order for many reasons: First, because my company is unwilling to go; believing that the enemy is in the rear, they are willing to scour the country north of Fort Drane before they return. Secondly, because my orders from Colonel Crane were, that as soon as the pursuit of the Indians that captured Mr. Dell's negroes was given up, I was to return to my post at Mandarin. My company was mustered into service for the protection of the east bank of the St. John's river, although we have a contract with Governor Call that they shall not cross the river without their own consent; yet have they ever been

ready and prompt to obey all orders at a moment's warning. They crossed the river to guard the baggage-train, or scour the western banks of the St. John's, to the frontiers of the enemy ; they are now, in violation of Governor Call's agreement, ordered to the Indian nation, which they simultaneously refuse to obey.

MOSES CURRY,
Commanding company.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, May 5, 1837.

GENERAL: Many of the field officers of the regiments serving in Florida, as well as the company officers, have been absent during the whole campaign, greatly to the injury of the service, and to the inconvenience of those who have been constantly at their posts. The state of Lieutenant Colonel Crane's health, as well as Lieutenant Colonel Fanning's and Major Fauntleroy's, renders temporary absence from duty in Florida necessary. Those officers have performed their duties most faithfully and efficiently ; and I most urgently request that other field officers be ordered to join, in order to afford them some respite from their labors.

Dr. Stinneke, who had joined but a short time before, was taken away to *attend a medical board at New York!* Could not some of the idle members of the medical department, at the posts from which the troops had been withdrawn, have been placed upon that board? The doctor certainly had no claims from service, and it was with some surprise that the order for his withdrawal was received. When any other consideration than that of services is allowed to govern, either in regard to stations or indulgencies, discontent is the inevitable consequence, and justly so ; the General-in-chief, I am sure, could not have been aware of the little claim the doctor had from services performed, when he consented that he should be taken from this army, where his services were necessary, and employed on a duty which many who are entirely, or comparatively, idle could have performed.

I am anxiously waiting the tardy movements of the Indians. There is no danger of a renewal of hostilities, but the chiefs find great difficulty in collecting their people. Several bands have been assembled, but they have been dispersed by reports that they were to be punished so soon as they should place themselves within our power.

I am, general, most respectfully, your obedient servant,

T. S. JESUP,

Major General comd'g Army of the South.

Brig. General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, May 8, 1837.

SIR: By reports from every part of my command, I am induced to believe that the Indians will all come in and emigrate in the course of the summer.

Powell and other chiefs, with their people, are at Fort Mellon, and will depart thence to this post in a few days. All the chiefs of the nation have now expressed their readiness to obey the commands of Micanopy, and remove to the West.

Whilst waiting the tardy movements of the Indians, I have detachments of the troops and Indian warriors employed in exploring the country and surveying routes through it. The Withlacoochee has been examined from its mouth to its source; the Fort King road surveyed hence to Fort Armstrong; and a party is now exploring the country from this place to Camp Izard. I have directed the survey of several routes north of the Withlacoochee, and the exploration of the St. John's above Fort Mellon. These surveys will enable me to have a good topographical map of the theatre of operations in Florida prepared.

I have directed the withdrawal of the garrisons of Forts Armstrong and Drane. The garrison of the former goes to Fort King, and the latter to Micanopy. The garrison of Fort Clinch will be withdrawn so soon as the stores at that post can be disposed of.

Officers are much wanted; many of those serving with this army are worn out by the effects of the climate, and the severe duties they have performed. They require a respite from duty; and I respectfully suggest the justice to them of ordering those who have been absent from the field to take their places.

Captain Mallory, without a single claim to indulgence from the services he had performed, was permitted to leave the army on the solemn assurance that he had made his arrangements to retire from the army, and would go out of it immediately, and that he would be put to serious inconvenience by being detained in Florida. As he was not efficient, I permitted him to go. I now, however, learn that he remains in service: if so, I request, as an act of justice to others, that he be ordered to join his company without delay.

I am, general, respectfully, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, May 17, 1837.

GENERAL: I have this moment received general order No. 28, dated the 1st instant. Dr. Heiskell, in consequence of severe domestic affliction, was permitted, a few days ago, to proceed to the North; and the services of Dr. Tripler cannot possibly be dispensed with. There is not an army surgeon or assistant at this post, and I propose ordering him hither so soon as his services can be dispensed with at his present post. The movements of the Indians are so tardy, that no calculation can, with certainty, be made as to the time of their emigration. Their women and children were to be collected from a surface of from fifteen to twenty thousand square miles. Many of them are sick; and I find that, without the application of force, many months may elapse before they can be assembled. I do not consider it my duty to recommence the war, believing that, if I

were to do so, beat the Indians, and make another peace, similar delays to those which we now experience would then occur in collecting and removing them. I have, it is true, but little acquaintance with them myself; but those best acquainted with them, and among them Major Graham and Captain Page, believe they will all come in so soon as their families can be collected. We committed an error, in regard to these Indians, in the attempt to remove them before the country was required for white settlers. In all other cases of removal, a white population has been pressing upon and crowding out the Indians before they were required to leave the homes of their fathers; here, there was no population pressing upon them, and they have never felt the necessity to go. Besides, the negroes rule them; and the arrival of several Floridians in camp for the purpose of looking after and apprehending negroes, spreads general consternation among them. Those that were in camp fled, and carried the panic with them, and we cannot now induce them to return.

I am, general, respectfully, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, May 23, 1837.

GENERAL: I have the honor to report that I have withdrawn the garrison and stores from Fort Clinch, at the mouth of the Withlacoochee. The naval force under Lieutenant Bell has gone to Pensacola, and the military part of the garrison has gone as an escort to a wagon-train to Fort King, whence it will join its regiment at Fort Dade. The ordnance stores were sent to Mount Vernon, Alabama, and the subsistence and quartermaster's stores, except ten thousand rations sent to Fort King, have been removed to this place.

I enclose an extract from a report of Major Wilson, whom I detached some weeks past to Pensacola and Mobile point, from which it will be seen that he has succeeded in causing the whole party of Indians, who had for some time frightened the good people of that part of the country out of their wits, to join the Creeks at Mobile point. The same prudent course would bring all the Indians in Alabama and West Florida into camp.

I am, sir, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

[EXTRACT.]

MOBILE POINT, (ALABAMA,) May 18, 1837.

GENERAL: I have the honor to report the return of Lieutenant Reynolds, a few days since, from up the bay of Pensacola, where I had despatched him, with three or four Indians from the Point, for the purpose of bringing in, if possible by persuasion, a small party of Euchees who had wandered off from the nation, evidently with the design of escaping emigration to the West. He fell in with them at their camp, about thirty miles from Pensacola; and having a conference with them through his interpreters, he represented their helpless condition, and the probability, if they persisted in strolling through the settlements, of their all being destroyed by the whites, who they knew had already fired on their party and killed one or two of their warriors; he would, therefore, advise them to come in and join their friends at the Point, where they would, preparatory to emigrating, be both fed and protected by the Government: to which they assented, and came in, together with a few Creek families that had been living on the bay for years past.

The lieutenant had them transported by water to this place, amounting in all to seventy—men, women, and children.

HY. WILSON, U. S. A.

To Major Gen. THOS. S. JESUP,

Com'g army of the South, Tampa Bay, Florida.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, June 5, 1837.

SIR: I have the honor to report that this campaign, so far as relates to Indian emigration, has entirely failed.

The Seminole chiefs were, I believe, sincere in their intentions of fulfilling the provisions of the treaty; but they have no influence over their people, except for purposes of mischief. The warriors, I understand, have degraded Micanopy, and placed Sam Jones, the Mickasuky chief, at the head of the nation. Micanopy, Jumper, and Cloud, met me in council on the 1st instant; they were to have come in again on the 2d, but failed; and on the night of that day they were seized by a force of armed warriors and removed to the interior. I succeeded in securing a number of their negroes, and have sent them to New Orleans.

The season is too far advanced for the renewal of offensive operations. All, therefore, that can be done, is to place the troops in such positions as shall at the same time cover the frontier and give reasonable assurance of health. The garrisons of Forts Mellon and Call, on the St. John's, and Foster, on the Hillsborough, must be withdrawn in consequence of the unhealthiness of the sites; and Fort Dade, on the Withlacoochee, must also be withdrawn, from the difficulty of supplying it during the wet season.

The negroes whom I seized say the Indians will not renew the war, unless attacked. This may be true; but we cannot trust them. The best security for the frontier will be complete preparations to repel attack.

Emigration I consider impracticable. The Indians, generally, would prefer death to removal from the country, and nothing short of extermi-

nation will free us from them. Not a single first-rate warrior has surrendered since the commencement of the war; nor has a single instance occurred of a Seminole having proved false to his country.

The difficulties presented by the country are great, but those presented by the climate are greater. Many of the posts necessary to success during the season of operations must be abandoned early in the summer, to preserve the lives of their garrisons; and the consequence is, that at the commencement of every campaign nearly all the interior depots have to be re-established.

If operations are to be renewed in the fall, it is important that early preparations be made; and that the officer who is to conduct them have every thing in readiness to take the field by the first of October. I will write to you again in detail on this subject. In the mean time I desire you to present my most earnest requests to the Secretary of War and the General-in-chief, that I be immediately relieved from the command of this army. It is known to the members of the late administration that I was placed in command not only without solicitation, but contrary to my known and expressed wishes.

I am, sir, most respectfully, your obedient servant,

TH. S. JESUP,
Major General commanding.

Brig. Gen. R. JONES,
Adjutant General.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, June 17, 1837.

SIR: If I should not be relieved from the command of this army, I desire to be permitted to visit Kentucky for a few weeks. I will thank you to lay my request before the General-in-chief and the Secretary of War. All is quiet in this quarter. I shall leave the 4th and 6th infantry at Fort Dade, on the Withlacoochee, and break up the posts of Hillsborough, Thlonotosossa, and Fort Foster. This accomplished, I shall proceed to Miccanopy and Black creek, at one of which posts communications will reach me.

I have permitted about one-third of the Indian warriors to visit their families at Mobile point. They will return in four or five weeks, when another party will be allowed to go. The term of service of the regiment will expire on the 31st of August. Should the war be renewed, a regiment of Northern Indians should be engaged to take their place. The general who is to command, in the event of another campaign being necessary, should be immediately required to organize the force and means to take the field by the first of October; and he should be unrestricted as to both. The nature of the country is such, that difficulties increase at every step, and the commander should have unlimited control both of measures and means, and the entire support of every department. A large regular force will be required, no matter who may command; and immediate measures should be taken to raise it. The corps now in Florida are reduced to mere skeletons; a considerable portion of the men remaining will be discharged in the course of this summer and autumn, and not

one will re-enlist. Many of the officers and men have been more than a year constantly in the field, and have been completely broken down by the labors and privations of two arduous campaigns: something should be done for them, and that speedily, or we shall have no force by the end of the year. It would be a great relief to the officers who have been long absent from their families, if those who have avoided the perils and fatigues of the field should be required to relieve them for at least two or three months. And the families of such soldiers as remain in Florida should be brought to their posts here at the public expense, and have rations allowed them by the Government.

I am, sir, most respectfully, your obedient servant,

T. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, June 24, 1837.

SIR: Disease is developing itself rapidly among the troops; all except the recruits have gone through two arduous and harassing campaigns, and are, in a great measure, broken down. The tendency to scorbutic affections is becoming general. I am making every effort to increase the comforts of the men, as far as the means in my power will enable me: among other measures, I have directed that a convalescent hospital be established on one of the keys at the entrance of this harbor. This, I think, will restore many men to the service who would otherwise be lost to it.

The garrison has been withdrawn from Fort Foster, also from Fort Mellon; and I shall proceed through the country to-morrow to Fort Dade, and thence to Fort King and other posts on the north frontier of the Territory, to make final arrangements for the protection of that frontier during the sickly season. No operations should be attempted before October: if the enemy, however, attack, he must be repelled, and driven from the frontier at any sacrifice.

If I should not be relieved from the command of the army, I request permission to visit Kentucky for a few weeks, after I shall have provided for the defence of the frontier.

I have directed Lieutenant Chambers, my aid-de-camp, to proceed to Washington with a duplicate of my despatch for the Secretary of War. From the position he has occupied, he will be able to give accurate information on all matters relating to the campaign. Should new corps be raised, I strongly and earnestly recommend him for an appointment. He is qualified for the command of a regiment, and I recommend that as high rank as possible be conferred on him.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, June [July] 8, 1837.

GENERAL: I enclose two reports, received last night by express: one from Lieutenant Colonel Miller, commanding at Tampa Bay, and the other from Major Childs, commanding at Fort King. I also enclose a copy of a report from Captain Bradley, of the Florida volunteers, to Lieutenant Colonel Mills, of an affair with a party of Indians west of the Suwannee. The Indians were evidently endeavoring to escape. From every information I can obtain, I believe the body of the nation mean to wait our movements. The frontier will be rendered secure, even should they recommence hostilities; and such information has already been gained of their country, that operations may be carried on in the autumn with far less difficulty than heretofore. I have in my possession, or have sent to New Orleans, all the prominent Indian-negro leaders. I have fifteen or twenty negroes and four Indians, who may be used as guides to all the fastnesses of the country. So soon as a list of the prisoners can be prepared, I shall forward it to you.

I have the honor to be, your obedient servant,

THOMAS S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington.

HEADQUARTERS OF THE TROOPS SOUTH OF THE HILLSBORO',
Tampa Bay, July 8, 1837.

GENERAL: Captains Allen and Morrison arrived with the train from Fort Foster on the 29th ultimo; the latter officer brought with him "Bow Legs," brother to Alligator, who was found at the fort with his rifle and ammunition; he most unwillingly came to this post. Upon examination, he states that he was on his way from his former residence, at the "Round pond," on the road to Fort Dade, where he had been collecting peaches for the "corn dance;" and that he expected to find cattle and some corn left at Fort Foster by the train. He says that Micanopy, Jumper, and his party, were at Casseeme creek, about three days' march from Tampa, and that Micanopy was expecting to hear from you by the messenger he sent in, and that he expressed a great desire to see Abraham. He also informed me that Powell had said that the Seminoles would remain quiet until they should see what the whites intended to do. Powell and his party, he says, are in the neighborhood of Volusia, and south of that place.

In consequence of the near connexion of this Indian with Alligator, I have deemed it advisable to secure him in the picket with the other prisoners, and to forbid any intercourse with him whatever until further orders.

Major Churchill left here yesterday for St. Mark's; his wound having improved essentially for the last four or five days.

The sheds for the marines, and those for the artillery and infantry, will be completed early the next week.

I have not heard from Mullet Key since the return of the Star, but presume the Spaniards have made considerable progress in preparing for the reception of the convalescents.

A party of Creek volunteers are now out scouring the country in a north and northeasterly direction.

I am, with the highest respect, your obedient servant,

SAMUEL MILLER,
Lieut. Col. commanding.

Major General JESUP,
Commanding army of the South, &c.

FORT KING, July 7, 1837.

SIR: I have the honor to acknowledge the receipt of your communication of the 6th instant, in relation to the hostile Indians. On the 5th I sent word for them to come in; about 11 o'clock five made their appearance, with melons and fresh beef.

They stated that one hundred were on the St. John's, and one hundred in this part of the country; that they had orders not to molest white people or their property, but to hunt game and cattle for their support; and at a certain time in the moon, which I judge to be about the 12th, they are to return and go over the line established by the treaty; in the mean time, the chiefs were to go to St. Augustine to see the commanding officer, and make arrangements for a store for them to trade at until the time arrived for them to go off.

At this camp there are seven of them, and at another, ten miles from them, seventeen. None of the latter have been here; their corn will not amount to much, they say, in consequence of not having been hoed in season. To-day three of them were in; one had his squaw with him; he says that seventeen Indians were on the road, nine miles from this, the day Lieutenant Ross returned from Fort Armstrong, and the day the general arrived; that the horsemen came within twenty paces of them; that they were lying in the pine barren, and were afraid to run or show themselves for fear of being fired upon before they could make known their peaceable disposition: the appearance of a squaw with them would indicate this.

They represent the cattle as very scarce, and what few they find are in swamps, and so wild that it is difficult to approach near enough to shoot them.

Respectfully, your most obedient servant,

THOMAS CHILDS,
Maj. U. S. Army, commanding.

Lieut. T. B. LINNARD,

Aid-de-camp and A. A. G., headquarters, army of the South.

NOTE.—Since writing the above, one other of the seven has been in; he says that a council was to have been held at Powell's camp, near Philip's town, and that Alligator, Holo-toochee, Yahoolochee, Coa-hago, and Coacoochee, (Philip's son,) were to go to St. Augustine, and that they are to be there in four days from this; but Cardjo says, as he understands the "broken days," they are not to be there until eight days from

this. They were under the impression that Paddy Carr was at St. Augustine. This Indian appeared much pleased when informed that General Jesup was there.

T. S. CHILDS,
Major United States Army.

CHARLES FERRY, *July 6, 1937.*

SIR: Being under the impression that it is my duty to keep you, as the commanding officer, advised of whatever transpires in my vicinity of a military nature, I report to you, for the information of General Jesup, that Captain Bradley went on a scout, via this place, on the 30th ultimo, from San Pedro to Suwannee old town, to examine about the fires and Indian signs reported in that quarter.

Ten miles from this place, south, he discovered signs of a large quantity of cattle having been driven from this neighborhood southerly, and very recently, by the Indians. Pursuing his march, he arrived at Suwannee old town, where he encamped on the night of the 1st instant. Next morning, having discovered fresh Indian signs leading west from Old Town, he immediately marched, and at nine miles distant discovered an Indian warrior with a pack—fired on, and wounded him. He made his escape by plunging into a swamp and abandoning his pack, filled with beef. Pursuing on his march, he came upon four others, killed one, and scalped him; wounded another, who was well dressed, and mounted on a mule; he made his escape by abandoning his mule and pack, leaving much blood on said mule; the other two having carried him into the swamp. After which, in passing through a small swamp, or hammock, came on others, killed and scalped one, and wounded another badly, having seen a great deal of blood where he made his escape.

The whole number of warriors seen was ten; and, from the number of packs, and a large quantity of beef, (about 200 lbs.) dried and fresh, captured, and these preparations for drying beef, Captain Bradley is of opinion that there is a considerable number about fifteen or twenty miles west of Old Town, or at Cook's hammock, about forty miles from Old Town. There were women and children's signs seen, as well as some of their apparel taken, together with a large quantity of cooking utensils and some jewelry. Captured from the Indians, in addition, three mules, three ponies, and one horse, all with good saddles and bridles on, and three Indian rifles. The most of the articles were brought here, and all that could not be brought were destroyed.

The whole of the day (2d July) being consumed in this affair, and Captain Bradley's men being exhausted, (having 30 men,) he deemed it proper to return for more men. He informed me that he shall, in ten or fifteen days, make another scout, when he would like to have some assistance at Suwannee old town.

The whites lost one horse, killed by the Indians. The Indians lost two men killed and scalped, and two wounded, with a great deal of baggage, &c.

I have the honor to be, very respectfully, your obedient servant,

Lieut. Col. MILLS.

F. L. JONES,
Lieutenant U. S. Army.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, July 10, 1837.

SIR : Many of the companies serving in Florida are mere skeletons. Some of them will be without non-commissioned officers, and will be reduced to from eight to fifteen men in the course of a few weeks. Were the companies thus reduced united and formed into full companies, the service would be greatly benefited : its moral would be improved, because every company would then, at all times, be under the direction of officers, which, with the small number of officers fit for duty in Florida, is not always possible now ; besides, the officers would feel more pride of profession, and be more active and attentive, when commanding full companies, than when commanding corporals' squads.

I must ask the favor of you to bring this matter to the consideration of the General-in-chief; and if he has no objection to the course proposed, I respectfully ask for authority to organize complete companies out of the skeletons serving here.

I have the honor to be, most respectfully, general, your obedient servant,

T. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, July 19, 1837.

GENERAL : I enclose an extract from a report of Lieutenant Colonel Miller, commanding at Fort Brooke, by which it will be seen that the Creek volunteers are entirely broken down. I had ordered fifty warriors to join Major Birch as an escort for the stores which I had directed to be removed from Fort Dade to Fort King, and the regiment can furnish only thirty men.

I shall send the whole corps off as soon after my return to Tampa as transports can be obtained.

I have the honor to be, general, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington City.

[EXTRACT.]

HEADQUARTERS OF THE TROOPS SOUTH OF THE HILLSBORO',

Tampa Bay, July 16, 1837.

GENERAL : I duly received by this day's mail your orders 146.

Major Freeman can furnish but thirty men from the Creek volunteers, out of the whole number here ; the rest are sick, or claim to be so. I fear that but little service will be obtained from this force. They complain that they have been deceived by their chiefs ; that their time will

expire in a few days, when they are anxious of joining their families and friends in the West.

The number of sick in Major Birch's command compels him to leave a portion of his men to take care of them until his return, or we can provide for them here and at the Rancio.

Our sick-list this morning, independent of the Creek volunteers, numbered upwards of one hundred and twenty.

I am, sir, with high respect, your obedient servant,

SAMUEL MILLER,

Lieutenant Colonel commanding.

Major General JESUP,

Commanding army of the South, &c.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, July 20, 1837.

GENERAL: I enclose a list of the Indian negroes captured during the campaign. Among the prisoners are nearly all the leaders of influence. The negro portion of the hostile force of the Seminole nation not taken, is entirely without a head. About eighty of the Indian negroes are at Fort Pike, Louisiana, six have died, and seventeen remain at Tampa Bay. Ninety-three negroes, the property of citizens, have been captured, and eighty-eight of them returned to their owners, or placed subject to their orders. One was sent into the Indian country on a message to other negroes, but was not permitted to return. Two who are well acquainted with the country are retained as guides, and two are retained at Tampa by the request of their owners.

Of the Indian prisoners who have been taken and secured, I shall not be able to furnish a list until my return to Tampa: they amount to between eighty and ninety. Twenty-three of them are at Fort Pike, fifteen have died, three are confined here: about fifteen women and children, relations of the Creeks, were allowed to accompany their relatives to Mobile point, and to Conchaptimicco's town on the Appalachicola. The remainder are at Tampa; all except three of them with the Creek Indians.

I have the honor to be, sir, your obedient servant,

T. S. JESUP,

Major General commanding.

Brig. Gen. R. JONES,

Adjutant General, Washington.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, July 24, 1837.

GENERAL: In the present state of the business of the country, recruits could no doubt be obtained in the agricultural districts of the country, and particularly in the interior regions of Pennsylvania, Virginia, and North Carolina. The men of that region are all horsemen and woodsmen, and they not only know how to take care of their horses and their arms, but to use them in the most effective manner. Twenty of those men are, on an average, worth, for the service in this country, as much

as thirty of the best men raised in cities. I respectfully recommend that as many recruits as possible be obtained from the country, and from parts of it above referred to.

The recruits for the dragoons should all be taken from the country, and should be men accustomed to horses; the period of enlistment is now too short to enable a man, not accustomed to ride and to manage and take care of horses, to become an efficient dragoon, and render more than one year's service, before his discharge. Captain Ringgold has command of a mounted company, which has rendered most efficient service. He would make a most able cavalry officer. His company, with the exception of eight or ten men, will be discharged, I am informed, by the 1st of October. Could not recruits be selected, for that company, of men who can ride? A few companies of mounted regular troops, under experienced officers, are necessary as rallying points for the volunteers. But few of the men of the dragoon corps can ride, and there is no time to instruct them here. The recruits sent to fill the companies of that corps should all be able to ride, and take care of horses, so as to be ready for service immediately on their arrival. By giving your attention to these matters, general, you will add much to the efficiency of the service.

I have not been able to mount my horse since the 6th, but I hope in a day or two to be out, when I shall proceed to the Suwannee.

I have the honor to be your obedient servant,

TH. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Heileman, Garey's Ferry, July 25, 1837.

GENERAL: I have received your letter of the 11th instant. On the 5th of June, in closing my official report to you, I asked to be relieved from the command of this army. I made this request to disembarass the Government, supposing that public opinion, when all had not been successfully accomplished that had been expected, might demand my recall; and I was unwilling that any considerations, personal to myself, should for a moment embarrass the service, or interrupt or influence the plans of the Government.

On the 8th of this month I received a letter from the General-in-chief, in which, referring to my request to be relieved, he informs me that the Secretary of War had decided that, after posting the troops in such stations as to cover the frontier from hostile attacks, as far as possible, consistently with a due regard to their health, I should be at liberty to resume my duties as Quartermaster General, at the seat of Government, provided, on the receipt of that letter, I still desired to be relieved. In the mean time, it appeared to me, from the opinion of both military men and citizens, as far as they were made known to me, that I was expected

to remain. The press, either mistaking or misrepresenting my motives, had attacked me for asking to be relieved; and I informed the General, in reply, that I would retain the command of the army, unless the Government should otherwise determine. That is my intention now, and I shall continue with this army until regularly relieved, or positively ordered to relinquish the command.

I desire you to lay this letter before the Secretary of War and the General-in-chief; and at the same time assure them, that never having solicited the command, and having no other objects in view than the best interests of the service, I do not wish to be considered in the way of any plans or arrangements which they may believe will best promote those interests.

I have the honor to be, sir, most respectfully, your obedient servant,
 TH. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, July 26, 1837.

GENERAL: A convalescent hospital has been established at the entrance of Tampa Bay, on one of the keys, where the invalids will have the most salubrious atmosphere, with every comfort which our means can command. The tendency to scorbutic affections, which generally prevailed when I left Tampa, causes me to apprehend most injurious consequences from a sea voyage so long as that from Fort Brooke to Fort Monroe. I therefore respectfully submit for the consideration of the General-in-chief, whether it would not be better that the invalids at Fort Brooke, particularly of the infantry regiments, remain at the convalescent hospital already established.

Let me hear from you on this subject as soon as you conveniently can.

Most respectfully,

Your obedient servant,

TH. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, August 2, 1837.

SIR: I have the honor to enclose the copy of a letter received from Lieutenant Colonel Cawfield, commanding the remnant of the Alabama battalion of volunteers that served with me last winter. Lieutenant Colonel Cawfield is a man entirely to be relied on; he is one of the best volunteer soldiers I have ever seen in the field, and is a man of perfect truth. I hope that his corps may be discharged. I sent Major Churchill to Fort

Mitchell to perform that duty, but the corps had moved into Florida, I understand, before his arrival. I have not heard from the major, owing, I presume, to the difficulty of communication; letters are often more than a month on the way from one post of this Territory to another.

Of the five battalions from Alabama and Georgia, under Cawfield and Nelson, there are less than one hundred men able to do duty, and there are not half that number of efficient horses. I have never been engaged in any service before, where all the physical energies of men were so soon and so entirely prostrated; and the mental energies seem to be equally affected by the baleful influence of the climate.

I have received your letter of the 15th ultimo. I had not received a copy of the Revised Regulations, but I had attributed it to the irregularity of mails. Very few of the orders issued from your office have reached me; I have attributed that to the same cause: for I have not received more than half the letters written to me by my family, and public communications are equally uncertain.

I am, respectfully, sir, your obedient servant,

T. S. JESUP,

Brigadier General R. JONES, *Major General commanding.*
Adjutant General, Washington City.

P. S. I enclose a copy of a letter from Captain Galt, commanding at Fort King. I place no reliance on the statement of the Indians; but it is good policy to treat them kindly until the mounted volunteers be ready to act, and the posts for the protection of the frontier be all established.

T. S. J.

HEADQUARTERS, BATTALION ALABAMA VOLUNTEERS,
Lagrange, (West Florida,) July 15, 1837.

SIR: I arrived at this place on yesterday, having bent my course somewhat farther south than I had intended, and perhaps farther than was contemplated in the instructions of the Secretary of War of the 13th ultimo; but, having understood there was a depot established at this place, and that I would be able to get what forage and subsistence I might want, I thought it best to take it in my course; also, having understood that it was the headquarters of Colonel Brown, who is operating in this country, I concluded I might be able to learn something satisfactory as to the movements and situation of the enemy. But I have been disappointed; I have not seen Colonel Brown; and find the place without stores of any kind.

A company returned to this place from Colonel Brown on yesterday, and by them I learned he was scouring the country around towards Pensacola. He has been operating for some considerable time, but has made little discovery. Indeed, to be candid, and use a vulgar phrase, my own opinion is, that the whole matter of Indian hostilities in this country is pretty much a story of moonshine, the object of which I leave others to conjecture for the present.

I will move immediately towards the line of Alabama again; but whether I will be able to find the point indicated in the Secretary's letter, where I may "hold the Indians in check," I doubt, as I am now fully per-

sueded they need no checking. That there are a few miserably wretched Indians secreted somewhere in this country, I will not deny ; but, on the other hand, I do not believe they have any disposition to be hostile, further than their own preservation is concerned. You must be aware that they have but little reason to feel safe in surrendering themselves prisoners to the troops who have been operating in this part of the country ; and perhaps even what few there may be in this part of the Territory, may make a desperate resistance when found, if they cannot escape.

I have looked in vain for orders, but have not received those alluded to in the Secretary's letter to me. I have written to every point where I thought it probable communications for me might be sent, but have received none.

The health of my command is not good ; and I am sorry to say that the spirits of many have become pretty much worn down, from the belief that they are performing a laborious service in an unhealthy climate, which promises no advantage to the country.

I am, sir, your very obedient servant,

DAVID CAWLFIELD,

Lieut. Colonel, com'g battalion Ala. volunteers.

Major General THOS. S. JESUP,

Commanding army of the South.

FORT KING, July 24, 1837.

SIR: In consequence of the continued severe indisposition of Major Childs, I write, at his request, to say that the Indian runner, whom he reported on the 18th instant as having gone to the chiefs in the vicinity of Fort Mellon, returned and made his report yesterday. He met Co-a-co-chee (Wild Cat) beyond Fort Mellon, who said, on the subject of the message from Major Childs, that he was very glad of it, that the principal chiefs were some distance beyond him, and that he would immediately communicate the message to them ; that they would be very much rejoiced to hear from you, as they had long been anxious to do ; that himself, Co-a-hajo, Holatoochee, Tuskenaha, and Alligator, had some time ago been appointed to go into St. Augustine ; but that, as they were about starting, one of four hunters, who had been started ahead of them, returned, giving the account of the capture of the other three by the whites ; that even then he wished to go on, but the other chiefs objected ; that since, they have been confused, and know not what to expect, or what to do in order to have a talk with the whites ; that the whites simply captured the three men, without firing on them.

Co-a-co-chee sent in word to Major Childs, also, that the chiefs would consult, and that about Wednesday morning the runners would be sent to this post, and he doubted not that a deputation of the chiefs would be on the trail hither at the same time. These latter may then reasonably be expected here about Friday morning, when, Major Childs requests me to say, he will despatch a special messenger to you.

With great respect, your obedient servant,

P. H. GALT,

Captain 4th Artillery.

To Major General TH. S. JESUP,

U. S. Army, commanding, &c. &c.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, August 6, 1837.

GENERAL: You have been in the field, and know how entirely impossible it is that company officers should be able to have the necessary supplies of clothing to replace articles lost or worn out in active service. That those officers may be relieved from an onerous responsibility, and the soldiers be promptly supplied with whatsoever may be necessary to enable them to perform their duties efficiently, I respectfully submit, for the consideration of the General-in-chief, whether it would not be advisable to establish a depot of clothing at this place, and another at Tampa Bay, from which any and every company may be supplied when necessary. By such establishments the service would be rendered more efficient, because the soldiers would be certain of a supply, and the officer would be relieved from the anxiety attending the accountability for property necessarily not within his personal control, and would have no further care than to account for that which he would actually receive for use in the field.

It would not be necessary to encumber the depot with any articles of parade uniform. Blankets, shoes, stockings, round jackets, flannel and cotton shirts, pantaloons, forage caps, and other articles required in the field, should alone be kept in store.

I beg of you to ask the attention of the General to the subject as soon as you conveniently can.

And I have the honor to be, sir,
 Your obedient servant,
 T. S. JESUP,
Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, Florida, August 7, 1837.

SIR: I have this moment received your letter of the 21st ultimo.

It was not my intention, in my communication of the 10th ultimo, to ask for recruits to fill the companies in Florida; I know it would be extremely unwise to send them hither during the sickly season. To save the troops already here, I am compelled to adopt the expensive measure of calling into service a body of Florida volunteers, to keep up the scouts required to protect the scattered settlements of this extensive Territory. In my letter of the 10th of July I merely submitted for the decision of the General-in-chief the proposition to form out of the skeleton companies here full companies, because the discipline of the service would be promoted by it, particularly when companies are reduced to eight or ten men. It was not my purpose to propose the measure as one to be carried out in regard to companies not greatly reduced. I shall not attempt it unless it become a matter of necessity.

I enclose a copy of a report from Major Childs. I place no reliance on the statement that Indians are coming in; but I do believe that, so far

as Micanopy and Jumper can influence their people, no other depredations than robberies will be committed ; still, there would be but little security for the frontier without force to repel any attempt that might be made upon it.

In the course of to-morrow or next day I propose to depart for the interior.

I am, sir, respectfully,

Your obedient servant,

T. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

P. S. Order No. 43 has not yet been received.

T. S. J.

FORT KING, August 3, 1837.

SIR : To-day I have received a visit from Tuckabatcha-hajo, *alias* John Hicks, a noble-looking Indian. The following is the substance of his communication, in answer to my questions :

Left Powell's camp, near Fort Mellon, ten days since, having hunted much on the way, and came to the Indian camp, on the left side of the Ocklawaha, with two others, day before yesterday ; would have been in sooner but for the storm. The chiefs, and all the Indians, were greatly pleased to hear the message from me ; and the former, that were present, agreed at once to come in as invited ; he would not have left if he did not know that they were coming, and is disappointed not to find the chiefs here ; he supposes the delay to be on account of Holatoochee, who is a great distance off towards Charlotte harbor, and his family understood to be very sick ; there is much suffering for provision, and a great deal of sickness (fever) amongst the Indians. The chiefs have been very particular in their instructions to the warriors on no account whatever to fire another gun in hostility ; and that he does not believe there was one Indian who had a thought of such a thing. Powell was near Fort Mellon, and Coahadjo was on the banks of the lake fishing, and lived in the pickets. Being asked if Powell was coming with the chiefs, said he did not doubt but he would ; explained how he was captured by Captain Beall in the Suwannee country ; said he had just heard of the provisions of the treaty that all Indians were to go to Tampa, and, having collected his party, was on his route thither when taken. When told that my orders were not to issue them any provisions, he said he was in hopes to have got one or two days' provisions on first coming ; but, as it was contrary to orders, he could not expect it. Asked permission to encamp by a pond four miles from this, and at the agency, for the purpose of hunting until the chiefs come in. If his father had been alive, this war would not have broken out ; a plenty of men, women, and children, were on their way. I have thought proper to give you this information, believing that the chiefs will be here in a day or two ; and, whether their object is peace or war, to suggest the propriety of immediately increasing the force at this post. The present strength is

only one hundred and thirty-two, not including the Creeks, and this force constantly diminishing by discharges.

Respectfully,

Your most obedient servant,

THOMAS CHILDS,

Major U. S. Army, commanding.

Major General T. S. JESUP.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, Florida, August 10, 1837.

SIR: A brigade of volunteers has been offered for service in this Territory, from Kentucky; if there should be any doubt of obtaining recruits of the proper class to fill the regiments serving here, in time to open the campaign in the autumn, I would respectfully recommend that the services of that brigade be accepted. I know not what the Kentuckians are now, as soldiers, but there were nowhere better soldiers than they furnished during the last war with Great Britain. If it should become advisable to take them into service, they could be brought to the scene of action in a few weeks, by the way of the Ohio and Mississippi.

I have the honor to be, sir, your obedient servant,

T. S. JESUP.

The Hon. J. R. POINSETT,

Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, August 13, 1837.

SIR: I enclose copies of several reports from the interior, by which it will be seen that the Indians continue to visit Fort King in the most friendly manner. Those people are evidently in doubt what course to adopt. They are represented as having been greatly divided in their councils. From present appearances, I would infer that Micanopy and Jumper, who I believe to be sincerely desirous of fulfilling the treaty, have exercised, in some degree, their influence. Not a single depredation, with the exception of the stealing of three or four horses, and the driving off of forty or fifty head of cattle, has occurred since those chiefs were carried off from Tampa Bay, except the murders at the cape.

The reports enclosed, particularly those of Lieutenant Colonel Gates and Captain Galt, exhibit the necessity of either sending company officers to Florida, or allowing the skeleton companies to be consolidated. Several companies are without an officer, and your detail for West Point places two others in the same situation. It may be truly said the spirit of the service is gone, or fast going, when officers of respectable standing can be found ready to abandon the high and honorable duties of their profession to become *schoolmasters* at West Point. This circumstance augurs worse for the army than any thing I had before witnessed. By the way, I cannot perceive how, under the laws as they exist, you

can take any but engineer officers for service as teachers. While the Government encourages, or even permits, officers to be so employed, it is impossible that the army can improve.

I am, sir, most respectfully, your obedient servant,

T. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

FORT KING, EAST FLORIDA,

August 8, 1837.

SIR: Since my last communication to you on the subject of Indians, I have to report the arrival of two sub-chiefs from Fort Mellon, Tuskamakkey and Chictoahocar, men that are sent on all occasions by Coahagge and others when they have business to do, as I am informed by Paddy Carr.

They say the cattle which you mentioned as driven across the St. John's were *twenty* in number; that the chiefs, as soon they knew it, sent *them* off with orders to drive back every Indian, and to see that no depredations were committed; that they have been engaged in hunting up and sending back Indians for ten or twelve days; that the cattle were driven off by Indians who had left camp without the knowledge of the chiefs.

I take Tuskamakkey as far as Micanopy with me to-day, for the purpose of going out with some Creeks from that post, to hunt up some Indians reported as doing mischief in that vicinity, if Colonel Gates wishes. He says he left before my message to the chiefs was known; that he has no doubt they will be in, but the rains and distance they are from each other must have delayed them; talks as if they were going off in the fall; that Powell says he shall not say a word, but agree to whatever may be determined. I sent Paddy Carr to their camp, on the opposite side of the Ocklawaha, accompanied by Lieutenant Ross, two days since, to see who and what was there. Lieutenant Ross reports the crossing as very intricate and difficult, and easily defended, and a camp of seven or eight families about three miles from the bank. Eight hostiles are encamped, by my permission, four miles south of this, by a pond, and Hicks, with two others, between this and the agency. These are all the camps and all the Indians that we know of.

I have directed Captain Galt to send an express to you immediately, should the chiefs come in; and, as the time approaches for a renewal of my attack, I am anxious to see if a change of air and travel will not relieve me in some measure.

Respectfully, your most obedient servant,

THOMAS CHILDS,

Major United States Army, commanding.

Major General T. S. JESUP,

Commanding Army of the South, Fort Heileman, East Florida.

Extract from the report of Captain Galt, dated August 8, 1837.

" Since writing the above, a party of six Micasukys, from Powell's camp, have arrived ; they started in company with the chiefs Coahadjo, Yuohadjo, the brother-in-law of Powell, and Honase Tuskennagge. They will be at the camp across the Ocklawaha probably this evening, and come in to-morrow, or, as the streams on the trail are very high, their arrival may be delayed 24 hours beyond this calculation. They are a deputation, and after seeing them I shall send a special express."

FORT KING, August 11, 1837, 3 P. M.

GENERAL: Somewhere about 30 Indians, (men,) principally Micasukys, have reported themselves during the past three days, all telling the same story, as to the orders of the chiefs to do no mischief to the whites, and two of the men of parties spoken to have added that they were to do what the white chief at the first told them to do. Coahadjo's brother was of the party the evening before the last. The council, composed of all the chiefs, on the reception of the first message from Major Childs, was held at Appiaccia's camp, and the subsequent proceedings are the result of a unanimous vote of the chiefs. Coahadjo had turned back on seeing the state of the streams on the trail, but it is said to-day that Tuskinia was on the other side the Ocklawaha yesterday, waiting for him. They all say that a great many Indians are on the way here.

A party of twenty Micasukys arrived this morning, and are in camp, about two miles off. Cudjo told me that his eldest son was among them. He sent his other son (Ned) out, and the oldest has just come in. I anxiously hope to obtain some news through this source, as to *real* intentions, &c., which, in the present state of relations with the Indians, will be very valuable.

About sixty men altogether *have reported*; perhaps thirty may be added for women and children; the parties are increasing in numbers.

I have told them all not to hunt *above this*, to which they willingly seemed to assent, as a matter anticipated by them. They all say that the chiefs are very anxious to have a talk with you, to have an understanding about every thing.

7 P. M.—The Tampa express is in unusually early. I have had a talk with Cudjo on the result of his conversation with his son. I suppose Cudjo, as I have always, to be perfectly honest, and as zealous in our favor as honest. He has, I am assured, in great sincerity expressed his conviction of the proper feelings towards us, and good faith of his son. The latter confirms entirely every account of the orders from the chiefs to their young men, as to their conduct towards the whites; that they will not, or any part of them, commit depredations or hostility, or permit it. The Micasukys, he says, are very much distrustful of coming in or remaining long, being fearful, under the consciousness of having done so much massacring to us, that we are decoying them to seize them. They have to his knowledge said nothing about going West. On one occasion he heard some of this party say they supposed that at last they would

have to do what the white people wished. He wished to go back with this party, after the chiefs have their talk, and bring in his family.

With great respect, your obedient servant,

P. H. GALT,

Captain 4th Artillery, commanding.

Major General T. S. JESUP,*

Commanding General, &c.

Extract from Captain Galt's report of same date.

"There are now only myself, Lieutenants Ross, Warner, Sing, and Mock, for duty with six companies. The resignation of Mr. Sing has been accepted, and that of Mr. Mock may very soon be expected. I need scarcely add the suggestion of the urgent necessity for other officers."

FORT MICANOPY, August 8, 1837.

SIR: Be pleased to inform the Major General that I have received an order, No. 48, from the Adjutant General's office, detailing Lieutenant Roberts, 4th artillery, for duty at West Point. Lieutenant Roberts is in charge of Captain Brown's company, 4th artillery. There is no other officer with this company, nor have I any officer to relieve him. In fact, I have now five companies under my command, and only three officers to take charge of them. Captain Ringgold does no other duty but scouting. Frequently the quartermaster, commissary, and adjutant commands two companies, and the duty of officer of the day is done by him also, and Lieutenant Roberts.

I utter no complaints, but simply remark this to show how illy Lieutenant Roberts can be spared at this time.

Be pleased to obtain the General's instructions upon this order, (No. 48.)

I am, sir, with great respect,

Your obedient servant,

WILLIAM GATES,

Lieutenant Colonel commanding.

Lieutenant T. B. SINNARD,

Aid-de-camp and acting Adjutant General.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, Florida, August 14, 1837.

SIR: On further examination, I am decidedly of opinion that Jacksonville is not the most eligible place for a principal depot. The facility with which the troops and laborers obtain whiskey at that place, and the utter impossibility of enforcing any salutary regulations for the police or discipline of the establishment, renders it the last place in Florida that should be occupied. The river, too, for forty miles above, is very wide, and often agitated by the winds to such a degree as to render it extremely

dangerous to tow the barges, on board of which the supplies are taken to Volusia and Fort Mellon. Any vessel that can be brought up the river to Jacksonville can be taken to Pelatka, sixty miles above, whence barges can be towed with comparatively little danger. The latter place is preferable to any other on the river; it has fourteen feet water, has abundance of timber in the neighborhood, is an open, dry, and healthy site, and it has the advantage of being sixty miles nearer to the theatre of operations, which, in going and returning, will make a difference in each voyage of a hundred and twenty miles. But the greatest advantage will consist in the ability to control the establishment, and prevent the introduction of ardent spirits. It will, besides, be near to, and command, a narrow and sinuous part of the river, where, should any parties of Indians be out, boats are liable to be attacked. In every view in which I have been able to consider it, I think it the very best position that could be occupied, and Jacksonville one of the worst.

The quartermaster at the latter place will go on collecting materials, which may be used at Jacksonville, or, if Pelatka be preferred, may be removed thither.

I am, sir, with great consideration, your obedient servant,
T. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington City.



HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, August 31, 1837.

GENERAL: I have the honor to report, for the information of the General-in-chief and the Secretary of War, that I have established a post, garrisoned by regular troops, at Moultrie creek, south of St. Augustine; another on the Moccasin branch of the St. John's, east of that river, about twenty miles southwest of St. Augustine, garrisoned by Florida volunteers; one at the point where the trail from the Ocklawaha to the Okefenoke swamp crosses the road from Garey's ferry to Micanopy, garrisoned by two companies of Florida volunteers; one at the head of navigation on the Santa Fe, a tributary of the Suwannee, near where the trail from the Withlacoochee to the Okefenoke swamp crosses the Santa Fe, garrisoned by one company of Florida volunteers; another at Clay landing, on the Suwannee, the great crossing-place of the Indians from the eastern to the western side of that river, also garrisoned by Florida volunteers; and I have ordered that a post, to be occupied by two companies of volunteers, be established northwest of Micanopy, the site to be designated by Colonel Mills. These, with the posts previously established, it is believed, will afford complete protection to the frontier during the sickly season. Volunteers occupy the posts at Charles and Livingston's ferries, on the Suwannee; at Jacksonville and Mandarin, on the St. John's; at Weedmaris, between Picolata and St. Augustine; at Lowther's, between Jacksonville and the Okefenoke swamp; and there is one company at Garey's ferry, to protect the train, and a detachment at Fort Crane, to protect the settlement and the corn-fields in that neighborhood. If an army were operating in the field, all these posts would not be ne-

cessary; but they are all now required, to hold the Indians in check, and keep them out of the country. I came hither by the way of the Suwannee, for the purpose of completing arrangements for the campaign, and of discharging the detachment of Creek warriors, about two hundred and twenty, remaining in Florida.

I shall send several invalid officers, and about one hundred and fifty men, to Fort Monroe. The surgeons report that if sent thither the lives of many of them may be saved, and the greater part of them may be so recovered as to be available for the service in December, if not sooner. The troops are not so comfortable here as I intended they should be; near two months ago, I directed that lumber should be provided to make sheds for all the tents; but the acting quartermaster at Mobile, on whom the requisition was made, has neither sent the lumber nor assigned a reason why it has not been furnished.

I am, sir, most respectfully,

Your obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, September 2, 1837.

SIR: I have received your letter of the 18th ultimo, and will take immediate measures to call into service the requisite volunteer force. I wrote to General Smith, of Louisiana, yesterday, and authorized him to raise a regiment.

It will be a work of time to raise and bring into the field a volunteer force sufficient to produce any decisive effect on the enemy; and I greatly fear that the season best adapted to efficient operations will have passed before an adequate force be obtained.

As to re-enlisting the soldiers discharged in Florida, it is out of the question; not a man who has served in this country, and who is worth retaining, will engage again; and, unless the condition of the soldier be greatly ameliorated, or a different mode of filling the ranks be adopted, we cannot hope to keep up even our small army. There is no inducement to any man to enter our service as a private soldier; in any other employment he has a better opportunity of supporting himself, and of making provision for old age; for no matter what his merits, or how faithfully he may serve, he has nothing to look forward to but to be turned out and starve, when he shall no longer be capable of performing the duties of a soldier.

If the term of enlistment were extended to five years, and a small bounty were allowed on the first engagement, double bounty on the second, and a pension for life to those who should serve faithfully during three entire enlistments, the ranks could be filled with the best materials, and the establishment be kept complete and efficient. I know many eloquent objections will be urged against the pension system; but it is time that we disregard idle declamations, and take common sense views of the

subject. If the army is worth any thing, it is worth being made efficient; without good soldiers it cannot be efficient; to retain it as it is at present, is an imposition upon the people; and the question, it seems to me, should be, whether we shall dispense with it entirely, or introduce such modifications into its constitution and administration as shall render it what it purports to be—a safe defence against sudden aggression, and a sure rallying point for the militia.

I have the honor to be,

With high consideration and respect,

Your obedient servant,

T. S. JESUP.

The Hon. J. R. POINSETT,

Secretary of War, Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, September 27, 1837.

SIR: General Hernandez returned to this post yesterday with his command, having with him Wild Cat and Blue Snake, two of the most warlike chiefs of the Tolofa Indians, and two other warriors: these make fifty-one prisoners, and two Indians killed, being an aggregate of fifty-three.

I hope a portion of the recruits may be pushed on immediately, to enable me to occupy the positions south which are necessary.

Officers are much wanted. I have not been able to detail a single one for the service of the clothing depots.

I am, sir, respectfully,

Your obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Washington City.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, October 2, 1837.

SIR: The Seminole chief Coacoochee (Wild Cat) having, as General Hernandez informs me, come in as the bearer of a flag, I have, on full consideration of all the circumstances of the case, considered it due to the sanctity of the flag to permit him to return. He promises to detach all his warriors, and perhaps the great body of the Seminoles, from the hostile party. This is the possible advantage from permitting him to go out: the security for his good faith is, that his father and two other of his relations are our prisoners. The loss, should he prove faithless, would be considerable, were it not for the circumstance alluded to, as he is unquestionably the best warrior and the ablest chief in the nation. He is more talented and enterprising than Powell, and has the important advantage over him, in the estimation of the Indians, of hereditary rank.

If he should not return, he will hardly venture to take an active part against us, as he has been assured that his father, as well as all the other prisoners of his town, will be held accountable for his conduct. His influence will rather be employed to restrain his warriors, and prevent them from taking part against us. Two weeks will determine whether he redeem the pledge he has given. In the mean time our preparations are not interrupted, but go on most vigorously. The body of the Indians are not within from one to three days' march of the St. John's, and the return of Coacoochee will rather have the effect to prevent their dispersing.

The frontier is tranquil, and the health of the troops who have been stationary is improving: those at the advanced posts, who have been actively employed on scouts during the sickly season, are beginning to suffer from attacks of intermittent fever; the cases, I understand, however, are of a mild character.

I am, sir, respectfully,

Your most obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,

Adjutant General, Washington City.

HEADQUARTERS, 1ST DIVISION, ARMY OF THE SOUTH,

St. Augustine, September 16, 1837.

GENERAL: My communication of the 12th instant will have informed you of my having captured, at Musquito, on the mornings of the 9th and 10th instant, the Indian chiefs Philip, Euchee Billy, Euchee Jack, and a number of their men, women, and children; and I now proceed to report to you, in detail, all the circumstances which led to or are connected with this capture: Four negroes, who had been with the Indians, came into Fort Peyton, about seven miles south of this, on the morning of the 4th instant. From them I learned that there were certain other negroes left by them at their master's plantation, on the Halifax river, some few days before; and that many of the plantation negroes who had been taken off had also been there, who, though they designed to have left that place, might yet have been detained by the bad weather, which prevailed about that period. These negroes also gave me reason to believe that some Indians might be fallen in with in that section of country.

With the view of availing myself of the disposition thus partially manifested by the negroes, to abandon the Indians, if they could find an opportunity of doing so with safety, I deemed it proper to collect such force as could be spared from this and the neighboring posts, and with it to proceed as speedily as possible to the south. Although the different companies and detachments ordered on this service displayed more than ordinary despatch and alacrity in concentrating at Fort Peyton, yet, in consequence of the difficulty of procuring transportation, I was not able to move from that place till the 7th instant. This I did on the morning of that day; the whole force having been formed into one battalion, and placed under the command of Lieutenant Peyton, he having volun-

teered his services. The battalion consisted of parts of companies "F," 2d dragoons, under Lieutenant McNeill; "E" and "H," 2d dragoons, under Lieutenant May; part of Captain Hanson's mounted company, under Lieutenants Pellicee and Feneira; part of Lieutenant Whitehurst's command, and of Captain Carey's command of mounted Florida volunteers, under Lieutenant Whitehurst; and company "D," 3d artillery, commanded by Lieutenant Frazer; Lieutenant J. Graham, of the dragoons, acting as my aid-de-camp; and Assistant Surgeon Motte was designated to attend the expedition as surgeon. Lieutenant Frazer's company of artillery, forming the escort of the small baggage train, was directed to take post at the plantation of Mrs. Anderson, on the Tomoka. On the evening of the 7th the main body had reached Bulow's plantation, which is about thirty-three miles from Fort Peyton.

On the morning of the 8th, at daylight, four negroes belonging also to Major Heriott, with an Indian negro named John, and belonging to the Indian chief Philip, came into the camp and surrendered themselves, expressing their previous anxiety to do so, and receive our protection. On examining the Indian negro John, and finding that he would be very useful, I ordered him to join the other guides.

Among other information obtained from these negroes, I learned that there was, or had been a short time before, an Indian encampment at Dunlawton, a plantation also belonging to the Anderson family, on the Halifax; and the march of the troops was accordingly directed to that point. Ignorant of the precise position of the encampment, great caution was necessary in advancing on the point supposed to be occupied by it. On its becoming perfectly dark, Lieutenant Pellicee, with Sergeant Paul Masters, who had previously resided in that neighborhood, and was well acquainted with its localities, were directed to take the negroes Abraham and George, who acted as interpreters, with the Indian negro John, belonging to Philip, and discover and examine the position of the Indian camp, and report to me. This duty was executed with great fidelity, and the report was that the Indian camp, which Abraham had left on the north side of a large canal, south of the road leading from the dwelling-house to the sugar works, had been removed, as nearly as could be discovered, to the south side of this canal, a little to the eastward of a bridge which crossed it; the position of the Indians having also been first examined by Lieutenant Peyton, and the previous report confirmed, my plan of attack was formed, and, in conformity therewith, the volunteers under Lieutenant Whitehurst's command, and Lieutenant Feneira, with Sergeant Masters, were formed in the rear of the Indian camp, and between it and a swamp on the south, and in its immediate vicinity, with directions to extend themselves in such a manner as to surround it, except on the front, which was left open for the charge of the cavalry; the volunteers having been directed, on that charge being made, to close in. These preparations being completed, and fearing that the Indians might be aroused by the neighing and trampling of some loose horses, and that they would attempt an escape, a charge by the cavalry, under Lieutenant Peyton, was directed somewhat sooner than was designed, which was executed with great rapidity and effect. The Indians immediately fled, when they were arrested by the fire of Lieutenant Whitehurst's command, from its extreme flank, which so confounded them that they were

all taken, without having fired a gun, with the exception of a son of Philip, a lad of about 18 years old, who escaped. My satisfaction at the capture of these Indians, without the effusion of blood, was greatly increased on discovering that among them was the influential chief Philip. It unfortunately happened that three of the warriors of this party were absent hunting, or they also would probably have fallen into our hands.

After this affair, I proceeded to the next plantation north of us, with the design, if possible, to discover and surprise the Indians, who I had reason to believe were in the neighborhood. For the purpose of ascertaining the truth of the reports which had reached me on this head, I had the Indian warrior, Tomoka John, who was taken with Philip, brought before me, and by him I was informed that there was another encampment of a party of eight warriors, at the head of whom was Euchee Billy, with a number of women and children, in a swamp about five or six miles north of us. This Tomoka John stated that he had been at their encampment the day before, and offered to lead me to the spot; alleging, at the same time, that it was necessary to proceed with great caution, as they were always on the alert. On this information, I interrogated Philip, who in substance confirmed the statement of Tomoka John, saying that he had known me from my infancy, had perfect confidence in my promise of protection, and would readily give me all the information in his power; assuring me, at the same time, that I might entirely trust to Tomoka John. Proceeding under the direction of this Indian, as far as he thought it advisable to do so on horseback, the horses, with the prisoners, were left under the charge of Lieutenants Pellicee and Whitehurst, (who could not walk, in consequence of a sprain his ankle received the night before,) with a guard of forty men. The remainder of the force proceeded, under the guidance of Indian John, for about three-quarters of a mile, through a pine barren, and thence through a very thick and heavily timbered swamp, following a trail opened by the Eucheese a few days previous. Having proceeded through this swamp for about two miles, to nearly its opposite side, the army was halted, and remained there till it became dark. On again moving, the march continuing through a thicket of scrub and a considerable space of low palmettoes, we at last reached high pine barren land, and proceeded on it till we came in sight of the Indian fires situated in the pine barren, bounded on three sides by swamp, and an impervious thicket on the other. Here the troops were halted; and Lieutenant Peyton, with Sergeant Masters and the negroes who had acted as guides, accompanied by Tomoka John, proceeded to reconnoitre the enemy's camp. Soon after, a request was sent to me from this party to have troops advance; which was accordingly done, sufficiently near to the enemy to discover them about their fires.

At this time, Lieutenant Peyton, with the company commanded by Lieutenant May, and part of Lieutenant McNeill's, was directed to lead the right, with the Indian, and Philip's John as a guide, with orders to endeavor to surround the enemy on that side, and to post his men as near to each other as the object in view would permit. Lieutenants McNeill and Feneira, with the detachment of Lieutenants Pellicee and Whitehurst's command of East Florida volunteers, with Sergeant Paul Masters, and negro Abraham as guide, were ordered to lead the left, and to surround the enemy on that side. Orders were given that these posi-

tions should be occupied ; the men lying flat on the ground till the appointed signal should be made at daylight. At daylight the signal was given, and the charge made with great promptness ; but so watchful were the Indians, that they succeeded in discharging two rifles ; by one of which, I greatly lament to say, as I have already stated to you before, Lieutenant McNeill, while gallantly advancing at the head of his men, was mortally wounded. The affair was soon over : one Indian was killed and three wounded ; one of whom afterwards died. The party consisted of twenty-one ; of whom none escaped, except one man, who fled in the night. The encampment of this party was exceedingly well chosen, it being almost impossible that it could be discovered by those not previously acquainted with its position.

Though both the officers and men of this expedition had to endure great fatigue and privations of every description, they were all borne with the utmost cheerfulness ; and the only circumstance calculated to detract from my satisfaction with the result of this expedition is the death of Lieutenant McNeill, who appeared to be a most promising young officer.

In conclusion, I cannot omit calling your attention to the good conduct of the officers and men of this small command. The alacrity with which every duty was performed does them all great credit. Lieutenant Peyton is an officer of great worth, as are Lieutenants Frazer, May, and Graham, and Dr. Motte, of the regular army. And I would take leave to suggest for your consideration the propriety of recommending to the Government that brevet rank be conferred on these officers ; and Lieutenants Whitehurst, Pellicee, and Feneira, of the mounted East Florida volunteers, are also equally entitled to the consideration of the Government. I have, likewise, strongly and particularly to recommend to you Sergeant Paul Masters. His knowledge of the country placed it within his power to render great services to the expedition, and the readiness with which it was furnished is truly creditable to him. The guides and the Indian, Tomoka John, discharged their duty with great fidelity.

An inventory of the articles captured will be annexed to this report.

I have to regret the length which I have permitted to myself in this report ; but it is hoped it may be excused, from my anxiety to present before you all the facts and circumstances connected with the expedition.

I have the honor to be, general, with much respect, your obedient servant,

JOSEPH M. HERNANDEZ,
Brig. General commanding.

To Maj. Gen. TH. S. JESUP,
Commanding army of the South.

REGISTRY

OF

NEGRO PRISONERS CAPTURED BY GENERAL JESUP.

Registry of negro prisoners captured by the troops commanded by Major General Thomas S. Jesup, in 1836 and 1837, and owned by Indians, or who claim to be free.

No.	Name.	Sex.	Tribe, town, or owner.	Estimated age.		Remarks.
				Year.	Months.	
1	Jacob	Male	Toonahika	25	-	Wounded in right knee.
2	Rina	Female	Micapotoka	18	-	Wife and children to Jacob. Clanda died May 27, 1837.
3	Venice	do	do	2	-	
4	Clanda	do	do	-	2	
5	Jane	do	do	40	-	Mother to Rina and Molly.
6	Molly	do	do	23	-	Mother and son.
7	Billy	Male	do	12	-	
8	Chloe	Female	do	19	-	
9	Sarah	do	do	2	-	Sister to Jacob, mother and children.
10	Denis	Male	do	1	-	
11	Pompey	do	do	70	-	
12	Dolly	Female	do	50	-	Husband and wife.
13	Silla	do	do	20	-	
14	Tom	Male	do	11	-	
15	Bella	Female	do	9	-	Mother and children.
16	Hagar	do	do	30	-	
17	Ned	Male	do	3	-	
18	Fanny	Female	do	27	-	
19	Charles	Male	do	6	-	Mother and children.
20	Margaret	Female	do	4	-	
21	Sylvia	do	do	4	-	
22	Buno	Male	do	19	-	

23	Peggy	-	Female	do	-	45	-	Daughter to Pompey and Dolly, mother to Hagar.
24	Bob	-	Male	do	-	50	-	
25	Margaret	-	Female	do	-	21	-	
26	Cyrus	-	Male	do	-	13	-	
27	Rose	-	Female	Harriett Bowlegs	-	70	-	Grandmother to Jacob and Chloe; sold by Mr. For-
28	Juba	-	do	do	-	20	-	rester, of Six-mile creek, to Bowlegs, several years
29	Ned	-	Male	do	-	19	-	since; Juba cousin to Jacob.
30	Noble	-	do	do	-	23	-	
31	Phebe	-	Female	Naascholy Katte	-	33	-	Jacob's uncle's wife, mother, and children.
32	Toney	-	Male	do	-	11	-	
33	Argus	-	do	do	-	7	-	
34	Nelly	-	Female	Micapotoka	-	20	-	
35	Scipio	-	Male	do	-	3	-	Mother and children.
36	Sandy	-	do	do	-	1	-	
37	Elsey	-	Female	do	-	25	-	Mother and child.
38	Katy	-	Male	do	-	3	-	
39	Dick	-	do	John Hicks	-	55	-	Said to be the property of Colonel Humphrey.
40	Tena	-	Female	Micanopy	-	50	-	
41	Susa	-	do	do	-	14	-	
42	Nancy	-	do	do	-	9	-	
43	Linda	-	do	do	-	8	-	
44	Mary	-	do	do	-	24	-	
45	Pussy	-	do	do	-	10	-	
46	Ishnael	-	do	do	-	6	-	
47	Cyrus	-	do	do	-	5	-	
48	Tamar	-	do	do	-	3	-	Daughter to Tena, and mother to the children.
49	Scipio	-	Male	do	-	1	-	
50	Patty	-	do	do	-	33	-	
51	Lucy	-	Female	do	-	7	-	Mother and children, daughter to Tena.
52	Pompey	-	Male	do	-	4	-	

REGISTRY—Continued.

No.	Namea.	Sex.	Tribe, town, or owner.	Estimated age.		Remarks.
				Years.	Months.	
53	Matilda	Female	Micanopy	3	-	Daughter to Tena.
54	Katy	do -	do	25	-	
55	Eliza	do -	do	20	-	
56	Ben	Male -	do	40	-	
57	Jane	Female	do	35	-	
58	Flora	do -	do	13	-	
59	Patty	do -	do	12	-	
60	Charles	Male -	do	11	-	
61	Polly	Female	do	9	-	
62	Joe	Male -	do	7	-	
63	Betty	Female	do	4	-	One of the most important and influential characters among the Indian negroes. Father, mother, and children, never had a white master.
64	Elsey	do -	do	3	-	
65	Robert	Male	do	-	6	
66	Betsey	Female	do	45	-	
67	Washington	Male -	do	11	-	
68	Rachel	Female	do	25	-	
69	Hatty	do -	do	-	-	
70	Fanny	do -	do	-	-	
71	Joseph	Male -	do	-	-	
72	Inos	do -	do	45	-	Husband, wife, and children. The commander of the negro forces on the Withlacoochee, the chief counsellor among the negroes, and the most important character.
73	Eliza	Female	do	35	-	
74	Toby	Male -	do	20	-	
75	Catherine	Female	do	12	-	

76	Nancy	-	do	-	do	1	-	Rachel's child.
77	Katy	-	do	-	do	25	-	Mother and child cousin to Murray ; defect in Katy's
78	Fanny	-	do	-	do	2	-	right eye ; said to be the property of Col. Humphreys.
79	Susan	-	do	-	do	30	-	Most intrepid and hostile warriors.
80	Ben	-	Male	-	do	22	-	
81	Jacob	-	do	-	do	24	-	
82	Muredy	-	do	-	do	20	-	Owned by Col. Crowell, and claimed by Nelly Factor,
83	Murray	-	do	-	do	35	-	
84	Prince	-	do	-	do	35	-	Hostile, either qualified to take the lead in an insurrection.
85	Toney	-	do	-	do	25	-	
86	Toby	-	do	-	do	32	-	
87	Peter	-	do	-	do	15	-	Died 11th May, 1837.
88	Pompey	-	do	-	do	60	-	
89	Jacob, 2d	-	do	-	do	20	-	
90	Dally	-	do	-	Sauathithka	22	-	Died 23d May, 1837.
91	Mundy	-	do	-	do	1	-	
92	George	-	do	-	Micapotoka	1	-	
93	Philips	-	do	-	do	4	-	Died 17th May, 1837.
94	Morris	-	do	-	do	1	-	
95	Lydia	-	Female	-	do	80	-	
96	Abram	-	Male	-	Nusalocco	50	-	The principal negro chief, supposed to be friendly to the whites ; said to be a good soldier and an intrepid leader ; he is the most cunning and intelligent negro we have seen ; he is married to the widow of the former chief of the nation.
		-		-	Claims to be free		-	
97	Tony Barnet	-	do	-	do	36	-	
98	Polly Barnet	-	Female	-	do	36	-	
99	Becky	-	do	-	do	2	-	

REGISTRY—Continued.

No.	Names.	Sex.	Tribe, town, or owner.	Estimated age.		Remarks.
				Years.	Months.	
100	Grace	Female	Claims to be free	6	—	
101	Lydia	do	do	5	—	
102	Mary Ann	do	do	3	—	
103	Martinas	Male	do	1	—	

TH. S. JESUP,
Major General commanding.

Note.—In addition to the above, ninety-three negroes, the property of citizens, were taken and secured by the troops.

Note.—For the Proceedings of the Military Court of Inquiry, held at Fredericktown, in the case of Major General Scott and Major General Gaines, in answer to the 1st, 2d, and 3d paragraphs of the resolution of the House of Representatives, see Senate Doc. No. 224, 2d session 24th Congress.

[Senate document No. 224.—Twenty-fourth Congress, Second session.]

PROCEEDINGS

OF THE

MILITARY COURT OF INQUIRY,

IN THE CASE OF

MAJOR GENERAL SCOTT AND MAJOR GENERAL GAINES.

IN SENATE OF THE UNITED STATES,

March 3, 1837.

Resolved, That the President of the United States be requested, as soon as he shall have acted finally on the Proceedings of the Military Court of Inquiry lately held at Frederick, in Maryland, to transmit a copy thereof to the Senate, or to the Secretary of the Senate, if the Senate be not in session, and that the Secretary cause the same to be printed without delay, and transmitted to the Senators respectively.

ADJUTANT GENERAL'S OFFICE,

Washington, March 29, 1837.

SIR: I herewith transmit, by instruction of the Secretary of War, the Proceedings of the Court of Inquiry lately held at Frederick, in Maryland, in compliance with the resolution of the Senate of the United States of March 3, 1837.

I am, sir, very respectfully, your obedient servant,
R. JONES, *Adjutant General.*

ASBURY DICKINS, Esq.,

Secretary of the Senate of the United States.

MEMORANDA OF DOCUMENTS SENT.

MAJOR GENERAL SCOTT'S CASE.

PART FIRST.

No. 1. "Proceedings of a Court of Inquiry in the case of *Major General Scott*."

["Failure of the Florida campaign in 1836."]

PART SECOND.

No. 2. "Proceedings of a Court of Inquiry in the case of *Major General Scott*."

["Delay in opening and prosecuting the Creek campaign."]

"Major General Scott's Address, or Summary of Evidence taken in his case."

MAJOR GENERAL GAINES'S CASE.

No. 3. "Proceedings of a Court of Inquiry in the case of *Major General Gaines*."

"Defence of Major General E. P. Gaines before the Court of Inquiry of which Major General Macomb is President."

No. 4. "Proceedings of a Court of Inquiry in reference to Publications of Officers of the Army."

No. 1.

PROCEEDINGS OF A COURT OF INQUIRY

IN THE CASE OF

MAJOR GENERAL SCOTT.

[FAILURE OF THE FLORIDA CAMPAIGN IN 1836.]

PART FIRST.

LIST OF DOCUMENTS.

A. General Gaines's objections to the Court,	October	30, 1836
B. Do. do to the Court of Inquiry,	January	7, 1837
No. 1. General Scott to the Adjutant General,	July	20, 1836
2. Do. do.	August	2, 1836
3. Do. do.	October	18, 1836
4. Secretary of War to General Scott,	January	21, 1836
5. General Call to the President United States,	Dec'ber	22, 1835
6. Do. do. do.	January	9, 1836
7. Colonel Fitzpatrick to General Call,	January	8, 1836
8. Governor Eaton to Secretary of War,	January	9, 1836
9. General Call to Governor Eaton,	January	8, 1836
10. Do. do.	January	8, 1836
11. Secretary of War to General Clinch,	January	11, 1836
12. General order No. 7,	January	21, 1836
13. Secretary of War to Governors of South Carolina, Georgia, Alabama, and Florida,	January	21, 1836
14. General order No. 9,	January	25, 1836
15. Secretary of War to General Scott,	January	29, 1836
16. General Scott (per Capt. Canfield) to Adjutant General,	January	25, 1836
17. General Scott (per Capt. Canfield) to Adjutant General,	January	27, 1836
18. General Scott to Adjutant General,	January	31, 1836
19. Lieutenant Van Buren to General Scott,	January	31, 1836
20. General Scott to Adjutant General,	February	2, 1836
21. General Scott (per Lieutenant Johnson) to Adjutant General,	February	3, 1836
22. General Scott to Governor McDuffie,	January	29, 1836
23. Do. do.	January	31, 1836
24. Do. do.	February	1, 1836
25. Do. do.	February	2, 1836

No. 26.	General Scott to Governor Schley,	January 31, 1836
27.	Do. to Governor Clay,	January 31, 1836
28.	Do. to Governor Eaton,	February 1, 1836
29.	Do. to Colonel Lindsay,	February 2, 1836
30.	Governor Eaton to General Scott,	February 3, 1836
31.	Secretary of War to General Scott,	February 2, 1836
32.	Do. to Governor Schley,	February 2, 1836
33.	Do. to General Scott,	February 6, 1836
34.	General Scott to Adjutant General,	February 6, 1836
35.	Do. to General Eustis,	February 9, 1836
36.	Adjutant General to General Scott,	Feb'ry 10, 1836
37.	General Scott to Governor Eaton,	Feb'ry 11, 1836
38.	Do. to Adjutant General,	Feb'ry 16, 1836
39.	Do. to Quartermaster and Commis- sary at New Orleans,	Feb'ry 14, 1836
40.	General Scott to Quartermaster, Charleston,	Feb'ry 12, 1836
41.	Do. to General Clinch,	Feb'ry 12, 1836
42.	Major Clark to General Scott,	Feb'ry 26, 1836
43.	General Scott (per Lieutenant Van Buren) to Adjutant General,	Feb'ry 19, 1836
44.	General Scott to Adjutant General,	Feb'ry 20, 1836
45.	Adjutant General to General Scott,	March 2, 1836
46.	General Scott (per Lieutenant Van Buren) to Adjutant General,	Feb'ry 22, 1836
47.	General Scott to Adjutant General,	Feb'ry 26, 1836
48.	General Gaines to General Clinch,	Feb'ry 2, 1836
49.	Do. do.	Feb'ry 22, 1836
50.	General Clinch to General Scott,	Feb'ry 24, 1836
51.	Captain McCall to General Clinch,	Feb'ry 22, 1836
52.	General Scott to Adjutant General,	March 2, 1836
53.	General Scott's order No. 1,	Feb'ry 22, 1836
54.	Do. do. No. 4,	Feb'ry 26, 1836
55.	Notes on order No. 4,	Feb'ry 28, 1836
56.	General Scott's order No. 5,	Feb'ry 27, 1836
57.	Do. do. No. 6,	Feb'ry 27, 1836
58.	General Scott to General Clinch,	Feb'ry 25, 1836
59.	Do. do.	Feb'ry 26, 1836
60.	Do. do. (No. 1,)	March 1, 1836
61.	Do. do. (No. 2,)	March 1, 1836
62.	General Gaines to General Clinch,	Feb'ry 28, 1836
63.	Do. do.	Feb'ry 29, 1836
64.	General Scott (per Lieutenant Van Buren) to General Clinch,	March 2, 1836
65.	Colonel Smith to Captain Shannon,	Feb'ry 25, 1836
66.	General Scott's order No. 11,	March 4, 1836
67.	Do. do. No. 12,	March 5, 1836
68.	General Scott to Adjutant General,	March 6, 1836
69.	General Scott to General Clinch,	March 4, 1836
70.	General Scott (per Lieut. Temple) to General Clinch,	March 6, 1836
71.	General Scott to Adjutant General,	March 9, 1836
72.	Two letters from Major Lytle to General Scott,	March 5, 9, 1836

No. 73. Governor Eaton to Lieutenant Van Buren,	Feb'yry	24, 1836
74. General Scott to General Eustis,	March	9, 1836
75. Do. to Lieutenant Dusenbury,	March	9, 1836
76. Do. to Lieutenant Searight,	March	10, 1836
77. Do. to Adjutant General,	March	14, 1836
78. General Gaines's order No. 7,	March	9, 1836
79. General Clinch to General Scott,	March	12, 1836
80. General Scott to General Eustis,	March	14, 1836
81. Gen. Scott (by Col. Gadsden) to Col. Lindsay,	March	13, 1836
82. General Scott's order No. 13,	March	14, 1836
83. Secretary of War to Colonel Hogan,	January	21, 1836
84. Colonel Hogan to General Scott,	Feb'yry	1, 1836
85. Secretary of War to General Scott,	April	12, 1836
86. Colonel Hogan to Secretary of War,	March	28, 1836
87. Secretary of War to Colonel Hogan,	April	12, 1836
88. Governor Eaton to General Scott,	March	7, 1836
89. General Clinch to General Scott,	March	13, 1836
90. Do. do.	March	13, 1836
91. General Scott's order No. 14,	March	14, 1836
92. Do. do. No. 15,	March	16, 1836
93. General Scott (by Col. Gadsden) to Gen. Eustis,	March	16, 1836
94. General Scott to Adjutant General,	March	20, 1836
95. Do. to General Eustis,	March	20, 1836
96. Do. to Colonel Crane,	March	23, 1836
97. General Scott (per Lieutenant Van Buren) to Adjutant General,	March	25, 1836
98. General Eustis to General Scott,	March	22, 1836
99. General Scott's order No. 16,	April	6, 1836
100. Lieutenant Morris's return of subsistence,	April	8, 1836
101. General Scott's order No. 23,	April	9, 1836
102. Do. do. No. 26,	April	10, 1836
103. General Scott to Adjutant General,	April	12, 1836
104. General Clinch's report to General Scott,	April	8, 1836
105. General Eustis's report to General Scott,	April	10, 1836
106. Colonel Lindsay's report to General Scott,	April	10, 1836
107. General Scott's order No. 22,	April	8, 1836
108. Do. do. No. 24,	April	9, 1836
109. Do. do. No. 28,	April	11, 1836
110. General Scott to Colonel Smith,	April	10, 1836
111. General Scott's order No. 37,	April	16, 1836
112. General Scott (by Colonel Gadsden) to Pay- master Mapes,	April	12, 1836
112-113. Gen. Scott (by Col. Gadsden) to Maj. Read,	April	14, 1836
113. General Scott to Colonel Lindsay,	April	14, 1836
114. General Scott's order No. 38,	April	16, 1836
115. Secretary of War to General Scott,	April	15, 1836
116. General Scott to Adjutant General,	April	30, 1836
117. Do. to Secretary of War,	April	14, 1836
118. Adjutant General to General Scott,	May	5, 1836
119. General Scott to Adjutant General,	May	11, 1836
120. General Clinch's report to General Scott,	April	27, 1836
121. General Clinch to General Scott,	April	27, 1836

No. 122. Governor Call to General Scott, or commanding officer at Fort Drane,	April	26, 1836
123. Adjutant McCants to commanding officer at Fort Drane,	April	11, 1836
124. Council of War at Fort Drane,	April	29, 1836
125. General Scott (No. 1) to General Clinch,	May	1, 1836
126. Do. (No. 2) do.	May	1, 1836
127. General Clinch to General Scott,	May	5, 1836
128. General Scott to General Clinch,	May	7, 1836
129. Colonel Lindsay's report to General Scott,	May	7, 1836
130. Colonel Chisholm to Colonel Lindsay,	April	22, 1836
131. Lieutenant Colonel Foster to Col. Lindsay,	April	29, 1836
132. Colonel Chisholm to Colonel Lindsay,	April	30, 1836
133. Colonel Smith's report to General Scott,	April	26, 1836
134. Major Read's report to General Scott,	April	27, 1836
135. General Scott's order No. 46,	May	11, 1836
136. General Scott to Captain Dummett,	May	11, 1836
137. General Scott's order No. 47,	May	16, 1836
138. Do. do. No. 48,	May	17, 1836
139. General Scott to Governor Call,	May	17, 1836
140. Governor Call to General Scott,	May	26, 1836
141. Secretary of War to General Scott,	June	1, 1836
142. Hon. J. M. White to President United States,	May	28, 1836
143. General Scott to Secretary of War,	June	21, 1836
144. Honorable J. M. White to President of Court of Inquiry,	Dec'ber	13, 1836
145. General Scott (by General Eustis) to Adjutant General,	May	16, 1836
146. General Scott to Adjutant General,	May	20, 1836
147. Do. to Major Heileman,	May	17, 1836
148. Do. to General Eustis,	May	20, 1836
149. Captain Hitchcock to Honorable Mr. Lyon,	March	11, 1836
150. Capt. McCall to Editor of N. Orleans Bulletin,	May	18, 1836
151. Extracts of Gen. Clinch's letters to Adj. General, referred to in testimony of the former.		
152. Major Clark to Quartermaster General,	August	16, 1836
153. Captain Shannon to Quartermaster General,	March	1, 1836
154. Do. do.	April	11, 1836
155. Secretary of War to General Scott,	May	16, 1836
156. Secretary of War to Governor Call,	May	16, 1836
157. Governor Schley to General Scott,	May	18, 1836
158. Secretary of War to General Scott,	May	19, 1836
159. Do. to General Jesup,	May	19, 1836
160. General Scott to Adjutant General,	May	22, 1836
161. Secretary of War to General Jesup,	May	23, 1836
162. Do. to General Scott,	May	25, 1836
163. General order No. 34,	May	26, 1836
164. General Scott to Adjutant General,	May	26, 1836
165. General Scott to Governor Schley,	May	26, 1836
166. Do. to Commissary and Quartermaster at New Orleans,	May	26, 1836
167. General Scott to Major Beard,	May	27, 1836

No. 168.	Major Baden to General Scott,	May	31, 1836
169.	Governor Schley to Major Baden,	May	27, 1836
170.	Duplicate of No. 166, with a P. S. dated	May	28, 1836
171.	Quartermaster Dimmock to General Scott,	May	29, 1836
172.	General Scott to Adjutant General,	June	2, 1836
173.	Gov. Clay to commanding officer of Georgia militia at Columbus,	May	28, 1836
174.	General Scott (No. 1) to Governor Clay,	May	31, 1836
175.	Do. (No. 2) do.	May	31, 1836
176.	Do. to General Jesup,	June	1, 1836
177.	Captain Harding to Governor Clay,	February	3, 1836
178.	General Scott to Captain Harding,	June	3, 1836
179.	Captain Harding to General Scott,	June	14, 1836
180.	General Scott to Major Beard,	June	3, 1836
181.	General Scott (by Maj. Kirby) to Gen. Irwin,	June	2, 1836
182.	Lieutenant Dimmock to Major Kirby, (No. 1.)	June	2, 1836
183.	Do. do. (No. 2.)	June	2, 1836
184.	General Scott (by Major Kirby) to Quartermaster Dimmock,	June	3, 1836
185.	General Scott's orders Nos. 1, 2, 3, 4, 5, and 6.		
186.	Major Beard to General Scott,	June	5, 1836
187.	General Scott (by Maj. Kirby) to Maj. Beard,	June	7, 1836
188.	Lieutenant Heintzelman to Major Kirby,	June	8, 1836
189.	General Jesup to General Scott,	June	8, 1836
190.	General Jesup to Secretary of War,	June	10, 1836
191.	Do. do.	June	11, 1836
192.	General Scott (by Maj. Kirby) to Maj. Beard,	June	10, 1836
193.	Do. to General Jesup,	June	10, 1836
194.	Do. to Adjutant General,	June	12, 1836
195.	Major Baden to Major Kirby,	June	11, 1836
196.	General Scott (by Maj. Kirby) to Maj. Baden,	June	14, 1836
197.	Do. do. to Lieut. Deas,	June	11, 1836
198.	Lieutenant Heintzelman to Major Kirby,	June	12, 1836
199.	General Scott to Adjutant General,	June	14, 1836
200.	General Scott's order No. 8,	June	16, 1836
201.	Jno. Crowell, jr. Esq., to General Scott,	June	16, 1836
202.	Major Beard to General Scott,	June	16, 1836
203.	General Scott to Adjutant General,	June	17, 1836
204.	Do. to General Jesup,	June	16, 1836
205.	Do. to Adjutant General,	June	18, 1836
206.	General Jesup to General Scott,	June	15, 16, 1836
207.	Do. do. (No. 1.)	June	17, 1836
208.	General Scott to General Jesup,	June	17, 1836
209.	Do. to Adjutant General,	June	21, 1836
210.	General Jesup to General Scott, (No. 2.)	June	17, 1836
211.	Do. do.	June	19, 1836
212.	General Scott to General Jesup,	June	19, 1836
213.	Do. do.	June	21, 1836
214.	General Jesup to F. P. Blair,	June	20, 1836
215.	General Scott to Adjutant General, (No. 1.)	June	23, 1836
216.	General Jesup to General Scott,	June	20, 1836
217.	Do. do. (copy,)	June	12, 1836

No. 218.	General Scott to General Jesup,	June	21, 1836
219.	Do. do.	June	22, 1836
220.	General Jesup to General Scott,	June	22, 1836
221.	General Scott to Adjutant General, (No. 2.)	June	23, 1836
222.	Do. to Governor Call,	June	17, 1836
223.	Do. to Com'y Gen. Sub. and Lieuts. L'Engle, Dimmock, and Mackay,	June	20, 1836
224.	Lieutenant Heintzelman to Major Kirby,	June	22, 1836
225.	Secretary of War to General Scott,	June	20, 1836
226.	Do. do.	June	20, 1836
227.	Do. do.	June	24, 1836
228.	General Moore to General Scott,	June	25, 1836
229.	General Scott's order No. 8,	June	16, 1836
230.	Do. do. No. 11,	June	20, 1836
231.	Do. do. No. 13,	June	20, 1836
232.	Do. do. No. 15,	June	21, 1836
233.	Do. do. No. 17,	June	22, 1836
234.	Do. do. No. 27,	July	6, 1836
235.	Do. do. No. 28,	July	6, 1836
236.	Do. to Adjutant General,	June	24, 1836
237.	General Jesup to General Scott,	June	23, 1836
238.	General Patterson to General Jesup,	June	22, 1836
239.	Captain Parrott to do.	June	22, 1836
240.	General Jesup to Secretary of War,	June	25, 1836
241.	General Scott to General Jesup,	June	26, 1836
242.	General Jesup to Adjutant General,	June	28, 1836
243.	General Scott to do.	July	2, 1836
244.	Do. to Gov. Call,	July	1, 1836
245.	Do. to Com. Dallas,	July	1, 1836
246.	Do. to officer commanding West Tennessee brigade,	July	2, 1836
247.	General Scott's order No. 22,	July	2, 1836
248.	General Scott to Adjutant General,	July	4, 1836
249.	Do. do.	July	6, 1836
250.	Do. to Gen. Moore,	July	4, 1836
251.	Do. to Lt. Johnson, U. S. N.	July	5, 1836
252.	Do. (by Lt. Lee) to Adjutant General,	July	5, 1836
253.	Do. to General Wool,	July	4, 1836
254.	Do. to Major Hoxie,	July	6, 1836
255.	General Macomb to General Scott	June	25, 1836
256.	Do. do.	June	28, 1836
257.	Do. to General Jesup,	June	28, 1836
258.	General Scott to General Macomb,	July	8, 1836
259.	General Scott's order No. 29,	July	7, 1836
260.	General Scott to Adjutant General,	July	20, 1836
261.	General Jesup to General Scott,	July	7, 1836
262.	Do. to Adjutant General,	Septemb'r	9, 1836
263.	Captain Lane's printed sheet,	August	8, 1836
264.	F. P. Blair to Judge Advocate,	January	8, 1837
265.	Gen. Jesup's communication to the Globe of	Septem'r	26, 1836
266.	General Woodward to Judge Advocate,	Novem.	27, 1836
267.	General Jesup to Governor Schley,	August	2, 1836
268.	Do. do.	August	28, 1836

PROCEEDINGS

Of a Court of Inquiry, held at the city of Frederick, Maryland, by virtue of the following orders, to wit :

WAR DEPARTMENT,

Adjutant General's Office, Washington, October 3, 1836.

GENERAL ORDER No. 65.

The following order is published for the information of all concerned :

By direction of the President of the United States, a Court of Inquiry, to consist of Major General Macomb, President, and Brevet Brigadiers General Atkinson and Brady, members, is hereby ordered to assemble at the city of Frederick, in Maryland, as soon as the state of the military operations against the Indians will permit the witnesses to attend, (of which the President of the Court is to judge and determine, and to give notice to all concerned,) to inquire and examine into the causes of the failure of the campaigns in Florida against the Seminole Indians, under the command of Major General Gaines and of Major General Scott, in 1836; and the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836; and into every subject connected with the military operations in the campaigns aforesaid: and, after fully investigating the same, the Court will report the facts, together with its opinion on the whole subject, for the information of the President of the United States.

Captain Samuel Cooper, of the 4th regiment of artillery, is hereby appointed to act as Judge Advocate and Recorder of the Court.

LEWIS CASS.

WAR DEPARTMENT,

October 3, 1836.

R. JONES, *Adjutant General.*

ADJUTANT GENERAL'S OFFICE,

Washington, October 14, 1836.

GENERAL ORDER No. 68.

The following order has been received from the War Department, and is published for the information of all concerned :

WAR DEPARTMENT,

October 13, 1836.

1. It appearing by the public prints that the official report of Brevet Major General Gaines, dated "Headquarters, Western Department, Camp Sabine, 4th July, 1836," made to the Adjutant General of the army, has been published, and the said publication being without the sanction of the War Department, or other proper authority, the Court of Inquiry of which Major General Alexander Macomb is President, will, in addition

to the duties already assigned to it, inquire into the facts as to the manner and by whose authority the said official report was made public.

2. The Court will also report its opinion as to the violation of the rules of the service by such publication, and as to the character of said report, in reference to all its bearings and consequences, as it concerns general military propriety and the discipline of the army.

3. And, further, the Court will examine and inquire into any other reports and publications made by Brevet Major General Gaines, or by any other officer of the army, having reference to military affairs, and published without the sanction of the War Department, or other proper authority, and give its opinion on the tendency of such reports and publications, in the same manner as it is herein required to do in the case referred to in the foregoing paragraph of this order.

C. A. HARRIS,
Acting Secretary of War.

By order of Major General MACOMB :

R. JONES, *Adjutant General.*

FREDERICK CITY, MARYLAND,

November 7, 1836.

Agreeably to the above orders, and in compliance with notice duly communicated by the President of the Court, the Court met on this day.

Present : Major General Macomb, President ; Captain Cooper, Judge Advocate and Recorder.

In consequence of the absence of Brigadiers General Atkinson and Brady, the President adjourned the Court to meet to-morrow.

NOVEMBER 8, 1836.

The Court met, pursuant to adjournment.

Present : Major General Macomb, President ; Brigadier General Brady, member ; Captain Cooper, Judge Advocate and Recorder.

General Atkinson not having yet arrived, the Court adjourned to meet again to-morrow.

NOVEMBER 9, 1836.

The Court met, pursuant to adjournment.

Present : Major General Macomb, President ; Brigadier General Brady, member ; Captain Cooper, Judge Advocate and Recorder.

The Judge Advocate communicated to the Court a letter from Brigadier General Atkinson, in which the general states that, in consequence of his illness, he is unable to reach the Court before the 22d or 25th of the present month : whereupon the Court adjourned to meet on the 25th of November.

NOVEMBER 25, 1836.

The Court met, pursuant to adjournment.

Present : Major General Macomb, President ; Brigadier General Atkinson, Brigadier General Brady, members ; Captain Cooper, Judge Advocate and Recorder.

The Court adjourned to meet on Monday, the 28th instant.

NOVEMBER 28, 1836.

The Court met, pursuant to adjournment.

Present : Major General Macomb, President ; Brigadier General Atkinson, Brigadier General Brady, members ; Captain Cooper, Judge Advocate and Recorder.

The orders constituting the Court having been read, the Judge Advocate stated to the Court that he had received a letter from Major General Gaines, dated Mobile, October the 30th, covering a communication addressed to the Court, dated Mobile, October 29th, in which he makes objections to the organization and location of the Court.

These communications (marked A) having been read to the Court, Major General Scott claimed the right of being heard, and addressed the Court to this effect :

"How far Major General Gaines, when his own case shall come up for investigation, may have a right to object, with or without cause, to a member of this Court, is a question which I shall not discuss, having myself no such objection to urge ; but, when he proposes the adjournment of the Court to Mobile, or any other distant place whatever, I have the right to resist the proposition, on the ground of the delay it involves. Further delay, Mr. President, is positive injustice to me. I am ready and anxious for the investigation of every act of mine that has been complained of, having already suffered much in my feelings, and, perhaps, in public opinion, from the time that has been allowed to elapse, in despite of my earnest solicitations, since a judicial investigation into my conduct was threatened by the Executive. I shall, therefore, not voluntarily consent to, but earnestly protest against, the unnecessary loss of another day, in having that conduct, in every matter complained of, fully probed and investigated by this Court, which has at length been appointed for the purpose.

"In all cases like those contemplated by the order under which this Court has assembled, the President of the United States has the unquestionable right to appoint both the time and place of investigation. His order precludes all right of discussion on those points.

"The strange proposition of Major General Gaines, that no testimony, written or parol, shall be taken by this Court, in his *wilful* absence, which may, in any degree allude to him or his conduct, would be less extraordinary if the only issue to be tried was between the United States and that officer ; but to the issue between the United States and the humble individual who addresses you, General Gaines is, in the contemplation of law, as much a stranger as any by-stander in this Court. In this particular issue he has no right whatever to interfere. The Executive has a clear right to proceed against me, and I have as clear a right to defend myself by all legal and honorable means, without regard to the absence or presence of General Gaines, just as in respect to the presence or absence of any other individual whatever.

"If the evidence that may be adduced against or for me, before this Court, in the investigation of my particular case, should affect Major General Gaines, he will stand, in respect to such evidence, precisely on the footing of any other *third person* so affected, with this advantage in his favor : the same Court (or a majority of it) stands instructed to take up his case as soon as he shall choose to present himself, and then he will

have the full right to explain, to contradict, or to refute, by all legal and honorable means, any part of the record in my case which he may deem unjust to himself.

"The 74th article of the Rules and Articles of War permits depositions to be taken in cases like those to be investigated by this Court. To give validity to a deposition, legal in other respects, notice of the time and place for taking the same must always be given to the adverse party. Now, even if it were admitted that this Court were about to try an issue between Major General Gaines and myself, instead of two or more several issues between the United States and as many distinct individuals, still it would be sufficient to say that the orders appointing this court and specifying the subjects for its investigation give ample notice to Major General Gaines that, in inquiring into my conduct, as one of the conductors of the still-existing war in Florida, the testimony might naturally be expected to touch, incidentally at least, his conduct in the same war, particularly as we were both operating against the same enemy at one particular time. The orders for this court he acknowledges himself to have received. He has, therefore, even in this view of the subject, had sufficient notice that incidental evidence might be expected to be received against him by this Court, and at this time and place, in the act of investigating my conduct in the war against the Seminole Indians. All this is clear from his protest which has just been read. He has, however, not thought proper to appear in person, either as a defendant or as a spectator; but has appointed a commission of several individuals to represent him, it would seem, in the investigation of my conduct. In this particular investigation, Mr. President, I have already said General Gaines cannot be allowed to take any part, other than as a *sworn* witness, either in person or by deputy; for I do not understand that he claims the right to be my *prosecutor* before this or any other Court. If *that* could be supposed to be his wish, I should be happy to meet him.

"In conclusion, sir, I have no sort of objection, even if I had the right to object, that the highly respectable gentlemen named by General Gaines to represent him before this Court should be permitted to be present as spectators to the investigation into my conduct, with the admitted right to make such notes and reports for Major General Gaines as they may think proper."

Major General Macomb, President of the Court, then made the following answer to the objections offered against himself as a member of the Court, by Major General Gaines :

"Gentlemen of the Court : I do not entertain a doubt but that a challenge, upon good and sufficient grounds, may, with propriety, be sustained before a Court of Inquiry, although, perhaps, this is the first instance of a challenge being made to a member of such a Court. It certainly was not of my seeking that I was placed on the Court; it is a duty from which I would most willingly withdraw, on a decision of the Court to that effect.

"As it regards my having harbored against General Gaines any hostile or unfriendly feelings, or feeling any disposition to do him any wrong, I do most conscientiously deny; and as for interest in the issue of the investigation ordered by Government, I have none other than that which concerns the honor and character of the army.

"It is proper that I should state, that it was the desire of the President of the United States that the Court should assemble at as early a day as

possible ; and I believed that the day appointed for assembling the Court was not too early for commencing the inquiry ; and it would seem, by the attendance of the witnesses from a distance, and the fact of the receipt of General Gaines's communication, now before the Court, that he had ample time to get here, if he had set out for that purpose in season."

The Court, being cleared, determined that a member of a Court of Inquiry may be objected to for good and sufficient cause ; but this is not the proper time to consider the objections of Major General Gaines, as the party objecting is not, at this time, before the Court ; and, as the Court has been directed to inquire into subjects other than those referring to Major General Gaines, the Court determined to qualify and proceed to the investigation having reference to the campaign under Major General Scott, against the Seminole Indians, in 1836 ; pending which investigation Major General Gaines, it is believed, will have ample time to reach the Court before any matters touching himself shall be brought to the notice of the Court.

The Court, being resumed, was duly sworn, in presence of Major General Scott, who had previously stated that he had no objections to offer to any member of the Court.

The Judge Advocate then proceeded to read the documentary evidence which will be found with these proceedings.

The hour for adjournment having arrived, the Court adjourned to meet to-morrow at 11 o'clock.

NOVEMBER 29, 1836.

The Court met, pursuant to adjournment. All present.

The Court was occupied on this day, and on every subsequent day to the 3d of December, inclusively, in the examination of the documentary evidence referred to in the proceedings of the 28th of November.

MONDAY, DECEMBER 5, 1836.

The Court met, pursuant to adjournment. All present.

The Judge Advocate presented to the Court the depositions which here follow.

Deposition of Charles Dimmock, Esq., late captain and assistant quartermaster of the United States army.

Question 1, by Major General Scott.—Where were you stationed, and in what capacity, during the latter part of the last winter and the following spring months ?

Answer. I was stationed at Savannah, in Georgia, from the 7th of February to the 23d of May, 1836, in the capacity of assistant quartermaster.*

Question 2, by Major General Scott. Were you advised by a quartermaster of the army, in the month of February, that a shipment of wagons, with harness, had been made, or was about to be made, to you, from Baltimore, for the use of the army in Florida ? Please annex the letters of advice to your answer.

Answer. I was so advised, and here are the letters of advice from

Major T. Cross, quartermaster, dated Baltimore, 30th of January, 1836, and Washington, 8th of February, 1836, both addressed to me at Savannah, Georgia.

"BALTIMORE, *January 30, 1836.*

"SIR: Enclosed is a bill of lading of two wagons, shipped on board the brig 'Oglethorp.' On their arrival, please acknowledge them to me at Washington.

"I am ordered to send out ten wagons—only four new ones could be found in the city, and it becomes necessary to buy at second hand. They are the best I could pick up in a hurry.

"The brig 'Arctic' will sail in a few days, with three companies of troops, some provisions, and a large supply of corn. She will take as many wagons as she can stow, and the remainder will follow in a packet soon after.

"I am, sir, very respectfully, your obedient servant,

"T. CROSS,

"Major and Quartermaster, U. S. army.

"LT. CHARLES DIMMOCK,

"Assistant Quartermaster, U. S. A., Savannah, Ga."

"WASHINGTON, *February 8, 1836.*

"SIR: Annexed is a bill of lading of six wagons, shipped to you on board the schooner 'Ida.' On their arrival, please send me a receipt for them, and also for the two previously forwarded. There are on board this vessel two extra covers and two extra fifth chains, spreads, and singletrees, for the wagons shipped by the Oglethorpe; thus making eight wagons complete. Some of them are poor things, but ill suited to the service for which they are designed. I could do no better, however, under the circumstances of the case. There are two more new ones in preparation, which will be shipped in a few days—making ten in all, and corresponding with the ten sets of harness for five horses each, sent by the brig 'Arctic.'

"I am, sir, very respectfully, your obedient servant,

"T. CROSS,

"Major and Quartermaster, U. S. A.

"LT. CHARLES DIMMOCK,

"Assistant Quartermaster, Savannah, Ga."

Question 3, by Major General Scott. Did you communicate the advice so received to Major General Scott—where, and about what time?

Answer. I did so, at Savannah, soon after his arrival at that place, by showing him the letters of advice above mentioned.

Question 4, by Major General Scott. What number of those wagons, with sets of harness, came to you at Savannah; about what time were they respectively received and shipped by you to Florida?

Answer. Two of them I found on my arrival at Savannah on the 7th of February; these two were shipped on that or the next day to Picolata. On or about the 7th of March, I received six more; they were shipped on or about the 8th of March, to Lieutenant Dusenbury, assistant quartermaster at Picolata. About the 1st of May, I received two more wagons, which were shipped within a day or two thereafter to Lieutenant Dusenbury, at Picolata. All these were received from Major Cross, and

were those referred to in his letters of advice. All the wagon fixtures came with the wagons, but not the harness. By the brig "Arctic," which arrived on the 24th of February, there came fifty collars, fifty pairs of hames, one box of harness, and other articles. These were passed immediately from the brig into a steamer destined for Picolata. The box of harness was, in consequence of haste, not examined.

Question 5, by Major General Scott. About what time did the first shipment of bacon, destined for the army in Florida, reach you at Savannah, and when was the first transshipment of bacon for Florida made by you?

Answer. On the 3d of April, I received the first shipment of bacon, which came by the ship "Newark," from New York; this was marked for Lieutenant Searight, assistant commissary of subsistence at Savannah, without invoice or instruction. The invoices addressed to Lieutenant Searight went to that officer at Gary's Ferry, and were sent to me by that officer, ten days after the arrival of the bacon. The first transshipment of bacon made by me for Florida was on the 4th of April. The quantity thus transhipped was very small, in consequence of the means of transportation being very limited at the time. No more was made except upon order, as that was the instruction received from Colonel Crane, then commanding at Picolata.

Question 6, by Major General Scott. Are you aware that any bacon had been previously shipped direct to the St. John's or St. Augustine?

Answer. I have no knowledge of any having been previously shipped.

Question by the Judge Advocate. What amount of transportation in horses, mules, oxen, wagons, carts, or other vehicles, was furnished by you, and sent to Florida, between the 7th of February, and say the first week in March? Please specify the time the articles were respectively sent, and whether they were furnished on the requisitions or orders of Major General Scott; and, also, whether all the requisitions or orders for transportation, made on you by Major General Scott, were complied with.

Answer. All the requisitions or orders of Major General Scott, or other officer connected with the Florida campaign, for means of transportation made on me, were complied with, with the exception of two boats, which could not be obtained.

From the 7th of February to the 31st of March, I purchased 7 wagons.

Received from Major Cross	-	-	-	-	8	"
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Making a total of	-	-	-	-	15	"
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These were all the wagons required of me during that time. They were sent to Florida as follows: On the 7th or 8th of February, two were sent to Lieutenant Dusenbury, at Picolata. On or about the 4th of March, two were turned over to Captain Wharton, at Savannah, who was then on his march to Florida, across the country. On the 8th of March, six were sent by steamboat to Lieutenant Dusenbury, at Picolata. Finally, on or about the 16th of March, five were sent to Lieutenant Dusenbury, at Picolata. These were all four or five-horse wagons, except two, which were two-horse wagons.

I received, on or about the 10th of February, from Augusta :

Purchased there by order of Major General Scott,	-	-	151	horses
Purchased by me at or near Savannah,	-	-	65	"
			<hr/>	
Making in all	-	-	216	"
			<hr/>	

Of this number I turned over to Captain Gibson, of the South Carolina volunteers, on his march to Florida, across the country, on or about the 2d of March, fifteen pack-horses. On the 4th of March, I sent across the country to Florida, in charge of conductors, fifty-eight horses. On the 4th of March, again, I turned over to Captain Wharton, for his command, in all one hundred and six horses. On the 8th of March, I sent by steamboat to Picolata eight horses. On or about the 16th of March, I sent to Picolata eighteen horses: making in all forwarded two hundred and five horses. Two died under my charge at Savannah, and nine were retained sick and disabled—making in all the two hundred and sixteen as above. Harness in excess was sent for all the wagons, at the time the wagons were forwarded. This means of transportation was furnished at the time ordered, and forwarded as soon thereafter as possible. The horses received from Augusta I was ordered by Major General Scott to retain, until Captain Wharton's command of dragoons should arrive at Savannah; out of them he was to select his mounts, which he did, on or about the 4th of March.

Sworn to before me :

S. COOPER,
Judge Advocate and Recorder.

Deposition of Colonel James Gadsden, late quartermaster general in the army of Florida.

The undersigned having been summoned as a witness on a Court of Inquiry in relation to the operations conducted by Generals Scott and Gaines, during the Seminole war in Florida, and being unable to attend, submits to the Court, in writing, the recollection of events, so far as they came under his personal observation.

He joined the army as a volunteer, and, at the request of Major General Scott, on his route to headquarters at Picolata, on the St. John's river, he ascertained, at Newnansville, that General Gaines had marched from the bay of Tampa to the Withlacoochee ; was there intrenched with his whole force, and reduced to extremities by the enemy. The undersigned, therefore, turned from his direction and proceeded to Fort Drane. At this post he found General Clinch deliberating on General Gaines's communications, and, after some consultations with the officers in camp, it was determined to march to his relief. Provisions, to the extent of the transportation to be obtained, were taken with us. On our approach to General Gaines's camp, a party of Indians were seen moving with a design to turn our left flank, or to retreat before us. They were promptly charged by Major McLemore's mounted men, and driven into an adjacent hammock. While preparations were making for dismounting and continuing the pursuit, an officer appeared from General Gaines's command, and reported that the general was in consultation with the Indians, and about concluding a treaty with them. General Clinch, therefore, desisted from any further hostile movement, and took up his quarters on the left, on General Gaines's intrenched position. That night, a messenger from

the Indians hailed from the opposite side of the river, asking whether they should come on the next morning and continue the talk, and whether Clinch's men would be pacific and not fire on them. Having been assured as to the latter, and replied to affirmatively as to the former, an inquiry was then made whether the day after would not answer, as it was the wish of the Indians on the Withlacoochee to hold a conference with their head chief, Micanopy, then thirty miles off, before they could come to any terms with the white men. General Gaines replied, through his agent, that he would prefer their coming over the next morning; but if that could not be done, the day after he would positively expect them. The next day and the day after expired, but no Indians made their appearance, and every indication in the vicinity of their camps was, that the hostiles had vanished. The army remained in position three or four days; when General Gaines concluded to transfer the command to General Clinch, and proceed with his staff to the Western frontier. On assuming the command, General Clinch evacuated the post on the Withlacoochee, and retired on Fort Drane. The army had exhausted their scanty supply, and were suffering before the movement was made. General Gaines's portion, which had been marched from Tampa, had endured heavy privations, and the officers and men were so reduced that it was by *short* marches, and at a slow pace, that they could gain the depot at Fort Drane. A day after our return General Scott arrived at Fort Drane, having moved from Picolata and Black creek, with all the disposable force at those places, and as much provisions as transportation could be provided for, with a view of supporting General Gaines, or of relieving him from his position on the Withlacoochee. Learning, however, that this had been effected, he halted these additional troops at plantations in the rear, where the supplies had not been exhausted, and recommenced the work of preparing for a campaign against the hostiles. The deposite of provisions at Fort King had been consumed by General Gaines, and those at Fort Drane were reduced to the last extremity. General Gaines's army added unexpectedly upwards of 1,100 officers and men to be provided for, on a frontier already exhausted, and which could only be supplied from depots from 65 to 70 miles distant, by land carriage. In deposite, at this time, at Fort Drane, the supply did not exceed six or eight days' rations, for about one-half the force which was intended to compose Clinch's command, and General Scott seemed strongly impressed with the opinion that, to move against an enemy whose plan was concealment and retreat, with less than thirty days' rations, would render the issue very doubtful. The provisions which he had thrown in advance had been unexpectedly consumed, and his remaining reliance was on what he could transport in time from the rear. To make the movement to accord with those ordered by the other portions of the army, moving from other quarters, on the Withlacoochee, after fifteen or eighteen days' toil, with every thing put in requisition by the quartermaster, something like sixteen days' supply was brought to Fort Drane; and as the season was getting late for operating in Florida, General Scott concluded to move on this supply. Previous to leaving Fort Drane, he despatched a Major Watson, from Georgia, to the Creek nation, for a detachment of friendly Creek warriors, with directions to join him at Tampa, (early in April,) believing that they were essential, as bloodhounds would be, to trail out the hostiles, who had been too successful hitherto in eluding the white man. On the 26th General Scott,

with the right wing, marched to the Withlacoochee, crossed that stream on the 28th and 29th, encountered a small party of Indians the next day, pursued them through the labyrinths of the Holathlekaha, and drove them across the Withlacoochee, and in the direction towards which the left wing of the army was supposed to be moving. As Eustis's signal-gun had been heard that morning, little doubt was entertained that he would encounter the fugitives. Scott continued his examinations through the thickets and windings of the river and lake Holathlekaha, for three or four days, burning the deserted villages; when, not meeting with or hearing from either Eustis or Lindsay, he presumed that, in flushing the enemy, they had been encountered by those officers, who were in hot pursuit of them to the Everglades. Having reached the south end of the lake, and our supplies nearly exhausted, Major Cooper, with his battalion of Georgia volunteers, was left with twelve or fifteen days' rations, in position, to watch the reappearance of the enemy in that quarter; while General Scott continued his march for Tampa, by the route of the Chickuchatty settlements, all of which were destroyed. At Tampa, Eustis and Lindsay's commands arrived on the same day. At this point Scott expected, as he had ordered, fresh horses for transportation, and the arrival of the friendly Creeks; but was disappointed in both: the former denied, in consequence of a report at New Orleans, confirmed by his reception in Tallahassee, that Gaines had closed the war; and the latter prohibited by the United States agent from joining us, as reported by Major Watson. Scott was, therefore, compelled to remain longer than he had intended, to recruit his animals, then not in a condition to resume operations. On the return *hunt* after Indians, the army was divided into several parts, so as to multiply the chances of success. Colonel Smith, with the Louisiana volunteers, was directed to Charlotte's harbor, where some depredations had been committed on one of the islands, and the custom-house officer murdered; he was likewise directed to penetrate Pease creek, and to give that coast a general examination. To General Clinch was assigned the duty of relieving Major Cooper, and, on his march, to scour the south bank of the Withlacoochee. Colonel Lindsay was to penetrate between the Withlacoochees, the forks of which had been represented as one of the hiding places of the Seminoles; and General Eustis, after making a detachment towards the settlements on the heads of Pease creek, was to return by Pelaklikaha and the Ochlawaha to Volusia. Major Read, with the Florida detachment, was assigned to the service of looking into the mouth of the Withlacoochee, and of penetrating that river, as far as was found practicable, or deemed prudent on his part. How these movements were executed, the reports of the respective commandants will explain. They were, however, without favorable results; and after many weeks of trials, privations, and sufferings, particularly among the Floridians and Carolinians, who were subjected to the additional affliction of sickness in camp, originating in measles, which assailed, without discrimination, nearly one-third of the respective commands, we found ourselves in the same position from whence we started: the enemy unsubdued, because he could not be found; the season too far advanced for another *hunt*; and the times of service for the volunteers and draughted militia on the eve of expiring. They were dismissed, and such a disposition given to the small army of regular troops, reduced alike by sickness and suffering,

as was supposed calculated to cover the frontier, until other arrangements could be made for resuming operations.

The history of the blockhouse, on the Withlacoochee, in which a gallant body of men so nobly sustained themselves for upwards of six weeks, against the combined force of the Seminoles, is this: Major McLemore *sought* the service, by a private letter to the undersigned, stating that he had, on the Suwannee, a boat suitable for the expedition, and supplies, which he could bring with him to that point, if with the consent and approbation of General Scott. The following is the reply penned by me, and by the direction of the general, to whom it was read before transmitted:

“FORT DRANE, *March 25, 1836.*

“SIR: I am directed by Major General Scott to inform you that this division of the army will advance to the Withlacoochee to-morrow. The other wings are approaching the same point from the respective rendezvous at Volusia and bay of Tampa, and the whole army will probably form a junction at or near that river by the 29th or 30th instant. It is impossible, at this time, to anticipate the ulterior operations of the army, after it has encountered and defeated the enemy in their probable stronghold, in the *cove* or swamp of the Withlacoochee. It is more than probable, however, that we may be detained in that vicinity for many days, reconnoitring the hammocks and searching for Indians in the jungles and thickets of that section of country. If so, your co-operation, and the supplies which you report you can bring, may prove of essential service. I am directed, therefore, by the general commanding, to say that, after securing the post on the Suwannee with an adequate garrison, you *may* proceed with the remainder of your command, in the boat you have prepared for the service, provided, in addition to your own supplies, you can transport from seven hundred and fifty to one thousand bushels of corn, at least, for the use of the army. Should your boat be properly secured, as you report, with bulwarks, you may enter the river, and ascend to the rapids, at or near Lieut. Graham's old camp, which will be within ten or twelve miles, at furthest, from Camp Izard, General Gaines's intrenched position, and where this wing of the army will probably cross the Withlacoochee. You must be at that point by the 30th *instant*, or you will probably be too late to afford any aid to this wing of the army, the sole motive which sanctions the service to which you have been called. You will fire a volley of musketry as you enter the river, and volleys each morning at 9 o'clock, as you ascend, and after you have reached the *point* to which you have been directed, until responded to by a gun from the right wing of the army. It is expected that you move with great caution, in no instance exposing your men unnecessarily, or your boat or command to capture. It is possible that you may meet at or near the Withlacoochee with the cutter Dallas, Captain Green, ordered by the Governor of Florida on the same service now assigned you, and, if so, you will communicate with him, and co-operate in the duties which may be so important to the military operations now carrying on in Florida.

“As your movement is intended to assist and not to embarrass this wing of the army, you must not move without an adequate supply of ammunition, and from thirty to forty days' rations for your whole command, at the least, in addition to the corn you may transport for our relief. If,

after providing for your own subsistence, and that of the detachment left for the defence of the Suwannee Old Town, there be a surplus of pork or bacon at the posts, it would be very acceptable to this army, marching, as it has been forced to do, on supplies reduced below the quantity which otherwise would have been desirable. On reaching the point on the Withlacoochee designated, you will use all due precautions to secure your boat and command, by building a block-house, or by the construction of some other defence, until you hear from or of the army. If, after, however, the 2d or 3d of April, you receive no tidings of or from this wing, under the command of General Clinch, you may be sure it has proceeded *south*, to unite with Eustis and Lindsay; and having left the Withlacoochee, your detention on its waters will be no longer necessary. You will therefore return, without delay, to your post on the Suwannee, and there await the future orders of the commanding general, or those which may be transmitted you by the Executive of Florida.

“By order of Major General Scott.

“JAMES GADSDEN,

“*Quartermaster General and Inspector General.*

“Major McLEMORE,

“*Suwannee Old Town.*”

It appears, however, from information received from one of the men who was in the block-house, that the detachment did not reach the mouth of the Withlacoochee until the *4th or 5th of April, two days* after it had been ordered to quit it, and when General Scott had crossed that river, and was many miles *south* on his march to Chickuchatty. Notwithstanding, however, its fearless commander, and on his own responsibility, penetrated the river, established a block-house, and left it garrisoned, with a promise to return and relieve it in eight or ten days. Unfortunately, however, as he entered the Suwannee, he was assailed with a fever, and fell a victim to its effects. His successor, not advised of his intentions, never sent the boat back, and to the above melancholy event (the unexpected death of Major McLemore) may be justly attributed most of the misfortunes and sufferings of the gallant little band in the block-house.

The above are matters of narrative and fact. If opinions are sought or expected on this occasion, I can only give those as of a private individual—that the failure of the campaign is to be found in a combination of causes, of which the principal are—

First. The premature, ill-advised, and ill-organized movement of General Gaines; his leaving Orleans without adequate transportation; his abandoning the most ample resources at the bay of Tampa, and from whence a blow might have been struck with effect against the Pease, Creek, and Tohopkelika Indians, to march upon an exhausted point, consuming supplies in depot for other troops, and demonstrating on the Withlacoochee, without decisive or favorable results. The route of his march to the Withlacoochee was unnecessarily lengthened, adding to his embarrassments, and, by *heading* the river, placing that stream between him and the enemy; while at Tampa he was on the same side of the river with the enemy, and not more than 72 miles from their supposed concealment on the Withlacoochee. By the route of Fort King he had 131 miles to march, and was opposed, finally, by the river, to meet the enemy. *In-trenching himself was strongly recommended as giving security, particu-*

larly at night, to his men; but not to sally out and offer battle, and drive the Seminoles from before his camp when annoying it, operated most unfavorably on the confidence of our own troops, while it emboldened that of the enemy. General Gaines had the opportunity offered him of striking a blow which might have terminated the war.

Second. False and unfavorable positions assumed, on which to base offensive operations against the Indians. They were *interior*, too far from the supposed strongholds of the enemy, and too remote from the depots of supplies; Forts King and Drane being about 30 to 35 miles from the Withlacoochee, and the former 85 and the latter 65 from the points of deposit on the St. John's; the road likewise unfavorable, rotten, and muddy in some places, and exceedingly sandy in others. It was next to impossible to supply an army under such embarrassments and from such remote points, with the limited means at command. The true positions would have been on the Withlacoochee, and higher up the St. John's; both points to be supplied by water, and both within the limits of the nation, from whence a *hunt* could have been taken at any time, and trails of Indians pursued with success whenever discovered.

Third. Insufficiency of transportation, both in animals and vehicles: many of the latter furnished were ill calculated for the object.

Fourth. Insufficiency of the proper ration for Indian wars: flour, and pork, and beans sent, instead of hard bread and bacon; the latter not only more acceptable to the troops engaged in the contest, but as lighter, admitting of the greater quantity being carried in the smaller compass. Had we had these, it is very possible the war might have been terminated, as we could, with the transportation at command, have marched into the nation with 25 days' rations instead of but 16, on which we were compelled to move, and the army would have had nine days longer to operate—multiplying the chances of falling in with and overtaking and beating the enemy.

Fifth. The want of the friendly Indian allies, who were not only important in communicating with the enemy and as guides, but indispensable as blood-hounds, to trail the enemy to their concealments. There would have been no doubt of the issue, could we have discovered the enemy; but understanding their game, they eluded our strong parties; took to the jungles and the hammocks of the country, and disappeared when pursued. The troops we had, though always ready for the combat, were little possessed with that instinct, so necessary in Indian wars, of finding and following the moccasin track. Had the Creeks been with us to search out the enemy, the *white man* would speedily have disposed of them; but their aid was denied, and by the Government agent.

Sixth. A general mistake as to the character of the contest, and a belief that the enemy would combine, and that the contest would be terminated by an operation or a battle. The Seminole understood his *play* better, and soon found where his strength lay. With great capacity for combining and for dispersing, he adopted at will that which would best secure him victory over small parties, or ensure retreat before the larger. It was an insurrection among the Indians, with a design of strengthening their power by a servile contest. Settlements were attacked, the negroes carried off, and the masters murdered. The guerilla warfare was resorted to; every hammock echoed with the war-hoop, and from every bush flashed a rifle. The contest on our part degenerated, therefore, from a

war into a *hunt*, in which the enemy had to be sought as you would seek for the lion or the tiger, with the hazard of being sprung upon from every jungle or thicket. Our true game, therefore, was not to move in masses, but in parties of sufficient strength; thus multiplying the chances of flushing the enemy and of keeping him at bay, if you could not whip him, until reinforced by one or the other of the hunting parties. In this opinion, however, though often expressed, I was not supported in the army generally. The massacre of Dade and other successes of the enemy had produced impressions unfavorable to dispersion. General Scott's plan of campaign, therefore, was generally approved, and was certainly well devised to catch and enclose the enemy on the Withlacoochee; but *badly* or *not* executed at all. The right wing, where Scott was personally present, performed its part; was true to *time* in its movements, and not only flushed the enemy and drove them across the Withlacoochee, but scoured the south and west bank of that stream, with most of the swamps and intricacies of the Holathlekaha lake. The other two wings did not advance to the points to which they were directed, on the eastern and southern swamps of the cove—the causes explained, I presume, in the official communication of the respective commanders.

This want of concert and co-operation was fatal to the plan, however well conceived. In the latter operations the army was divided into five, instead of three parts; but the lateness of the season, the reduced condition of the men from privations and sickness, and of the horses from starvation and work, all precluded those vigilant and active movements, so necessary to find an enemy determined to avoid us, and in possession of a country affording such facilities for concealment.

JAMES GADSDEN.

Sworn to before

THOMAS GADSDEN,
Notary Public.

Deposition of Francis D. Newcomb, late a lieutenant of the 4th regiment of infantry, and assistant quartermaster at Tampa bay.

Question 1, by Major General Scott. What was your official connexion with the army at Tampa bay in April, 1836?

Answer. I was assistant quartermaster, and in charge of all the duties of the department at that place.

Question 2, by Major General Scott. If any, what means of land transportation for army supplies had you received from the quartermaster, then at New Orleans, in March, and up to the 17th of April?

Answer. I had received none within that time; but subsequently to the departure of the army with General Scott, there were received at Tampa bay, about the 1st of May, sixteen mules and a few carts or wagons. These, however, would not have been sufficient for the purpose for which they were required; they were sent in answer to a letter calling for about fifty wagons and two hundred horses.

Question 3, by Major General Scott. What was the cause, if you know any, why the means of land transportation which had been demanded of the quartermaster at New Orleans, expected at Tampa bay, were not received at the latter place before the 17th of April? If the witness received on the subject any letter from the quartermaster at New Orleans,

please produce the letter, or state where it is at present, and give its contents from memory.

Answer. From a communication which I received from New Orleans in relation to transportation, I believed the reason for its non-arrival at Tampa bay was caused by an impression received by the quartermaster at New Orleans that the war had been terminated; and that impression I communicated to General Scott. The reason that this impression was conveyed to my mind is this: in the same communication, speaking of other means of transportation, to wit, the schooner "Motto" and her equipment, the writer recommended a reduction of the number of hands employed on board of that schooner, assigning as a reason that he had understood from good authority that the war was over, or words to that effect. I received the letter alluded to above from the quartermaster at New Orleans, and I suppose it to be now with some papers belonging to me at my father's, in Massachusetts. I have written to my father to send the letter to my address at this place, (Frederick, Maryland,) to the care of General Scott, who is authorized to open it in my absence.

[The letter referred to was, subsequently to the taking of this deposition, received by Major General Scott, and by him handed to the Judge Advocate of this Court. It is in the following words, to wit:

"ASSISTANT QUARTERMASTER'S OFFICE,

"New Orleans, March 25, 1836.

"DEAR SIR: Enclosed you will find the receipts of Captain Gaty, of the schooner "Motto," for seventy-five dollars, which I have advanced to him on your account, as I have no papers to enable me to make a settlement with him. I fear he has not sufficient command over his crew; and as they say he knows nothing of navigation, perhaps on his return you can get a more suitable person. The crew can be very much reduced now, as the war is over. I wish you to look to the armament of the schooner. I am responsible for all. Please send me receipts for seventy-five dollars.

"I am yours, truly,

"J. CLARK,

"Assistant Quartermaster.

"Lieutenant F. D. NEWCOMB,

"Assist't Quarterm'r U. S. A., Fort Brooke, Florida.]"

Question 4, by Major General Scott. What was the quality or condition of the corn received by you from the quartermaster at New Orleans, and by you issued to the horses of the army at Tampa bay in April last?

Answer. A great part was very bad, and had been damaged—some probably on board ship, and some probably before leaving New Orleans. It was all more or less damaged, except some bags, which were clean and sound. I was compelled to give the supply to the army, because there was none other.

Question 5, by Major General Scott. State generally what means of water transportation and debarkation were provided by you, by order of Major General Scott, for the expedition commanded by Major Read, and which proceeded by water from Tampa bay to the Withlacoochee river.

Answer. I provided for the transportation of the troops under Major

Read, two schooners of, probably, about 200 tons burden—at any rate amply sufficient for the number of troops to go on board. They had with them, each, a ship's boat, as means of debarkation. I also provided for the latter purpose a small schooner, of about three feet draught of water, equal to 200 barrels burden, having also with her a yawl. I further provided for the same purpose a small sloop, of light draught of water, carrying a pilot for the expedition; this sloop had also a yawl. As a further means of debarkation, I expressly caused to be built a scow, capable of carrying upwards of 100 barrels, which was put on board of one of the transports, in pieces, all marked so as to be put together in two hours time, by the ship-carpenters, who were hired expressly for the purpose, and who accompanied the expedition, being provided with pitch, oakum, nails, and every thing necessary to make the scow complete. Before the scow was put on board, I had it put together, to be certain that every part fitted. In addition to these means, provided by me as quartermaster, there was a large ship's boat, furnished by the U. S. ship *Vandalia*, with a midshipman and crew. The pilot mentioned as being on board of the sloop was Captain Bunce, of Florida, one of the most intelligent men on the coast, in that country, and highly respectable. I was sent for by General Scott, to his quarters, and directed by him to make immediate and sufficient provision for the transportation for Major Read's command to the mouth of the Withlacoochee, and provide the means for their debarkation. There was an unusual degree of earnestness in General Scott's manner of communicating this order. When I suggested some difficulties that lay in my way, for such provision, he replied to me, "Sir, you must move heaven and earth to accomplish it." When it was first mentioned to me, I did not think it was possible; but by borrowing a little spirit from the general, I succeeded. From General Scott's manner, I satisfied myself that the expedition was of great consequence, and on which he had placed his strongest hopes.

Question 6, by Major General Scott. With reference to the time and place, could better means have been provided to convey Major Read's detachment by sea to the Withlacoochee, and to enable it to ascend that river?

Answer. I certainly could not have made better provision elsewhere than I there made, nor should I have felt it necessary to make better, had I been where the most ample means could have been had.

Question 7, by Major General Scott. At the time Major Read's expedition left Tampa bay, did you yourself entertain a reasonable doubt, or are you aware that any other officer doubted, that the means of transportation and debarkation were sufficient to give success to that expedition?

Answer. I did not doubt the sufficiency of the means myself, nor do I know that any body else did. I do not think that Major Read himself doubted, although he attempted to find some fault with the means.

Sworn to before me,

S. COOPER,
Judge Advocate and Recorder.

Owing to the absence of two important witnesses, whose testimony General Scott was desirous of obtaining, before taking other parol testimony, and as these witnesses could not reach the Court before to-morrow, the Court adjourned to meet at half-past ten o'clock to-morrow morning.]

DECEMBER 6, 1836.

The Court met, pursuant to adjournment. All present.

The Court was occupied to-day in examining documentary testimony presented by Major General Scott, which will be found accompanying these proceedings.

The Court adjourned to meet to-morrow at half-past ten o'clock.

DECEMBER 7, 1836.

The Court met, pursuant to adjournment. All present.

Colonel William Lindsay, of the 2d regiment of artillery, a witness on the part of Major General Scott, having been duly sworn, was interrogated as follows :

1. *Question by Major General Scott.* Where was the witness stationed at the commencement of the present hostilities with the Seminole Indians ; and what measures, in general, did the witness suggest and recommend to the authorities at Washington, and of Georgia, on account of those hostilities ?

Answer. I was stationed at the arsenal, Augusta, Georgia, and hearing of the massacre of the party under Major Dade, together with a rumor that General Clinch was surrounded and beset, I deemed it proper to make a call upon the Governor of Georgia for 3,000 troops. I invited the assemblage of two volunteer companies, and ordered them off to the relief of General Clinch. These companies were from Augusta, and were Robertson's and Bone's. They were forthwith sent off. I made an application to the War Department for 3,000 knapsacks, to be forwarded to Savannah or Picolata—I don't recollect precisely which—for the 3,000 men, should the Governor of Georgia send them into the field. I received, for answer to this application, from Major Garland, having charge of the clothing bureau, that my application for knapsacks had been referred to the Secretary of War, who decided that there was no law authorizing the furnishing the militia or volunteers with knapsacks. The corporation of the city of Augusta, through the banks, (the Bank of Augusta principally,) advanced 10,000 dollars for the purchase of the necessary equipments for the two companies mustered by me into service, and sent off to the relief of General Clinch. I also sent to General Hernandez, in East Florida, a number of cartridges, such as the arsenal afforded, which he reported to be unfit for use. I had furnished also, on the requisition of Governor Eaton, something like 600 or 700 stands of arms, together with ammunition for them, and the transportation, by wagons, for them to Tallahassee. I take occasion here to observe, that this transportation, which I then procured from Tallahassee, were the only wagons or teams I saw on the campaign—none other were furnished by the quartermaster's department to my portion of the army. These wagons and teams, which I sent to Tallahassee, were taken up by Colonel Gadsden, and sent to Tampa bay. These were the only arrangements which I recollect to have made prior to the arrival, at Augusta, of Major General Scott.

2. *Question by Major General Scott.* In asking for the knapsacks,

was it because you knew that the militia in that part of the Union were generally without knapsacks, and do you consider knapsacks as necessary for militia as for regular troops ?

Answer. I knew they were without knapsacks, and that they could not procure them. I consider knapsacks as necessary for militia as for regular troops ; even indispensable.

3. *Question by General Scott.* What was the amount of fixed musket cartridges in the Augusta arsenal at the beginning of this year, and what was the quality of the musket powder there ?

Answer. I cannot answer the first part of the question precisely as to the number. The musket cartridges which I found there, and which I distributed to General Hernandez, and sent to Governor Eaton, had been in the arsenal, as far as I could trace, about sixteen years ; the powder out of which they were probably made was subjected by me to the proof of the eprouvette. A good deal of it was found to be proof powder, but it was so much decomposed by age that it was not rapid enough for muskets or rifles ; in fact, it would hang fire so much as to destroy its utility for small-arms.

4. *Question by General Scott.* Did the witness purchase powder for musket cartridges, and why that purchase ?

Answer. I did cause to be purchased powder for muskets and rifles, for the reason that the powder at the arsenal was unfit for the use of muskets and rifles, although it might answer for cannon.

5. *Question by General Scott.* Did the witness serve in the Seminole campaign of 1818 ?

Answer. I did.

6. *Question by General Scott.* You have also served against the same Indians in the present war ; state the comparative difficulties presented to our troops in the two wars, by the difference in the nature of the country west of the Suwannee and southeast of the Withlacoochee ?

Answer. I have. The country east of the Suwannee is infinitely more impracticable than the country west. In the first place, the country is intersected by a river, the St. John's, running from south to north nearly its whole length, which is exceedingly difficult to pass under any circumstances, but almost impracticable in the presence of an enemy. Nothing is more easy than for the natives of the country to evade an army operating upon either side of the river, (say the western,) by passing over to the eastern side of the river. The country is also intersected in its greatest length by the Withlacoochee river, which is also an impracticable stream, difficult to cross under any circumstances, but more particularly in the presence of an enemy. The banks of both these streams are lined with extensive marshes and hammocks, and the whole country is interspersed with extensive hammocks, savannahs, and marshes. These hammocks constitute so impenetrable a thicket, as that an Indian who gets perhaps ten feet in them is not to be seen afterwards, and cannot be overtaken. The country west of the Suwannee had, partially, some of these features ; but the hammocks, swamps, and savannahs are comparatively insignificant. As regards facilities for obtaining forage, the country west of the Suwannee abounded with reed-brakes, which constitute fine food for horses. I have never seen one east of the Suwannee. The only resource we found for our horses east of the Suwannee was fresh burns, as they are termed, affording a very scanty supply of young grass.

Question by the Court. Do reed-brakes furnish food for horses at all times of the year; if not, at what periods?

Answer. They furnish food for horses at all seasons of the year.

8. *Question by General Scott.* On the arrival of General Scott at Augusta, towards the end of January last, had you a very particular conversation with him on the subject of the war he was about to conduct—on the possible numbers of the enemy—his mode of warfare—the number and description of troops necessary to put down the war—and what was the information and advice you gave on that occasion?

Answer. I had a conversation with General Scott on the subject of the war he was about to conduct. Our conversation was directed to a consideration of the probable force of the enemy. I thought it seemed to be the impression of General Scott, as derived from the War Department, and, as I understood, explicitly communicated to him by the War Department, that a small force and a small expenditure of money would only be required to put down the Seminole Indians. From my previous knowledge, that one of our most successful commanders, General Jackson, for the purpose of conducting a war, the principal object of which was to drive the Seminoles from the Georgia frontier, had carried into the field a force amounting to perhaps 6,000 men, I was induced to represent to General Scott that the nation had not diminished in numbers, and that if such a commander as General Jackson deemed it necessary to carry such a force against the Seminoles, I begged him not, by any means, to attempt the reduction of that nation or tribe with a much inferior force, and that I thought he ought to have at least 5,000 in the field, a large portion of which should be mounted infantry. I then asked him for what term of service he had been permitted to call out his troops; he answered that he was permitted to call them out for three months only. I earnestly requested him to try and obtain an extension of the term, alleging that nothing but defeat and disaster could follow military operations which were to be carried on by men having only three months to serve. He replied that he was not permitted to make a requisition for a military force for a longer term.

9. *Question by General Scott.* What advice did you give General Scott on the subject of *detachments* in the proposed campaign; and on whose practice was that advice founded?

Answer. I advised him never to detach under any circumstances. I believe I mentioned to General Scott at the same time that I had derived that advice from General Jackson, who, upon some occasion, when I wanted to go upon detached service, made use of this emphatic expression. "Sir, I never detach against Indians." I had landed with a regular force at Fort Gadsden, which I thought competent to take the garrison of St. Mark's. General Jackson's destination was at that time in another direction, and I begged permission to go and take the garrison of St. Mark's, which was a Spanish post. I was left at Fort Gadsden with my force, which was about 130 or 140 regulars, and the general directed me to stay there, and not move until I was joined by 1,200 mounted Tennesseans; and he then observed that he never detached or never suffered small parties to march through the Indian country. I don't think that the post of St. Mark's was defended by more than sixteen men at that time. It was taken three or four days afterwards by

General Jackson's army, and I don't think we found more than sixteen men in it.

10. *Question by General Scott.* Among the examples of General Jackson's practice in respect to *detaching*, did you not, in the same conversation and advice, mention the case of sending a detachment with the sick of the army; and what were the circumstances of this particular detachment?

Answer. I did. After the battle of Mickasuky, as it was called, I was ordered down from the neighborhood of the Mickasuky ponds to assume the command of Fort St. Mark's, and was directed to take charge of the sick and wounded of the army, amounting to about sixty, and carry them to St. Mark's, where there were hospitals and comforts for the sick. I received my order about *reveille* in the morning from General Jackson in person, who said to me, "I put the sick and wounded in your charge, and require you to take them to St. Mark's. As you are marching with so small a force, (I had the same command, about 130 or 140,) I think it proper to inform you that you will be perfectly safe from attack, as Captain Gordon of the spies has explored the route on both sides of you, from here to St. Mark's, (distant about thirty-five miles,) and has seen no sign of the hostiles."

11. *Question by General Scott.* Was no additional force added to your own 130 or 140 men, for escorting the sick on that occasion?

Answer. I think not. Out of the sixty sick, it was calculated by myself that probably forty would be capable of bearing arms in case of attack.

12. *Question by General Scott.* Was your march on that occasion to the rear of the main army?

Answer. Precisely: for the main army had just before marched from St. Mark's to Mickasuky; had an engagement there with the enemy, and was passing on to the Suwannee river, when I was detached back to St. Mark's.

13. *Question by General Scott.* In your first advance from Tampa bay, in March last, what were your means of land transportation?

Answer. I carried over thirty horses, which I purchased in Mobile myself. I think I found there perhaps eight or nine wagons, being the same which I had sent from Augusta to Tallahassee. It required two wagons to conduct the ordinary business of the post of Tampa bay, as the wood was two or three miles distance, and a great deal of hauling at the post required. I think I found there six wagons for the purposes of the campaign, capable of averaging about 1,600 or 1,700 weight apiece, with the teams which we had. It was reported to me there that General Gaines had carried off all the available horses; and, if it had not been for the horses which I brought with me, I could not have used the wagons at all.

14. *Question by General Scott.* Were your means of transportation for your expedition into the interior from Tampa bay in the month of April about the same, or greater?

Answer. I think I had one or two wagons more. Every thing was called a wagon; some two-horse wagons, and some nondescripts, which might have been pedlars' carts for what I know.

15. *Question by General Scott.* Had you, on either expedition from Tampa bay into the interior, all the necessary means of transportation

required by your column; and, if not, what proportion of your wants had you, in the means of transportation?

Answer. These wagons constituted, together with a few pack-horses, my whole means of transportation: one of them for each expedition was devoted to the carriage of ammunition, (musket-ball cartridges and rifle powder,) the rest, after carrying as many rations as they would carry, each had to carry the corn and hay for its horses—the tents for the party, such as we could procure—camp equipage for the command, consisting of camp kettles and a variety of cooking utensils—such spades as might be wanted, if any—and, with my command, axes, for I was afraid to trust the militia with them, because they would lose them or throw them away. The consequence was, that the only provisions which could be carried on a march, consisted of what could be packed on the soldiers' backs, together with what could be carried in these wagons. As the militia invariably threw away their provisions, more particularly when they were required to carry more than say four rations, I had to look to these six or seven wagons for carrying the provisions for my army, to enable my army to keep the field. On my march to Chickuchatty, my provisions were out on the tenth day; and had it not been for accidentally killing Indian cattle, I should have been compelled to return to Tampa bay without reference to the enemy or his movements. I was unable to keep the field for want of transportation.

16. *Question by General Scott.* In the arsenal at Augusta, at the time you left, in February, were there any musket accoutrements; and, if so, how many?

Answer. I think there were none.

17. *Question by General Scott.* What does the witness know of the quantity of hard bread and bacon at Tampa bay, between the 5th and 17th of April, 1836, (independent of what the witness brought with him from Mobile;) and was the hard bread and bacon equal to more than a few days' supply for the different columns?

Answer. I had brought a supply of hard bread and bacon for my own command. General Scott, in failure, I presume, of adequate supplies for the armies of Generals Clinch and Eustis, ordered me to give up to the common stock the hard bread and bacon which I had brought for the use of my own force. I don't know what supply General Scott had, but I do know that I had not more than five days' supply, after the redistribution made by General Scott of the bacon and hard bread which I had brought with me.

18. *Question by General Scott.* Is the witness aware that General Scott failed in any particular, in point of zeal, activity, and judgment, to do all that was possible, under the circumstances, to give success to the war against the Seminole Indians?

Answer. In respect to General Scott's activity and zeal, I bear testimony to his unbounded devotion to the interests and honor of the service, disregarding, on his own part, every sacrifice which was involved by the calls upon him for labor and privation, in a course of the most severe, and, perhaps, arduous duty in which an officer could be engaged. With respect to his judgment, I cannot conceive a more judicious plan of operations than that which was concerted in the movement of the three columns; and had it been possible to coerce such an enemy, who fled before us in all directions, into an actual conflict, the measures adopted by Gen-

eral Scott would seem to me to have been the only ones which were capable of producing that result. I therefore cannot consider that there was a failure of the campaign, but that the public was necessarily disappointed, when they formed the belief that a country four hundred miles long and one hundred and eighty broad, could be reduced by a *coup-de-main*, with troops called out for only three months, but who actually served only thirty days, and the means of transportation for keeping which in the field, and in the presence of the enemy, even during that thirty days, were always inadequate.

19. *Question by General Scott.* It has been said that the war against the Seminole Indians was successfully ended on the west bank of the Withlachoochee, before the 10th of March last. Did the Seminoles, met at different times by your command, show that they had been previously subdued, or the reverse?

Answer. I had nothing but evidences of unabated hostility from them, to the very last moment I staid in Florida.

Question by the Court. Will you state to the Court your opinion of the causes that prevented the subjection of the Seminole enemy in the campaign conducted by Major General Scott in 1836?

Answer. I have already stated that, to reduce a nation occupying such an extent of territory, with the peculiar topographical features belonging to it, was necessarily a work of more time than was allotted to General Scott for the performance of it. I mean in respect to the term of service of the militia. I will explain what I mean by the limit of time: this consisted, first, in the short duration of the term of service of the force with which he was operating. It would have been, however, limited, also, by the nature of the climate, which is so prolific of disease from the month of April, as that military operations, could they be carried on, would be necessarily attended with great waste of human life; but, in all probability, would be necessarily suspended by the climate. But, in addition to these circumstances, General Scott found himself hampered by acting upon a scale of things which had been laid down for him by others, and which scale of things he could not alter. For instance, he was acting upon a base-line of operations of two hundred miles in length, with the single advantage of a depot at each extremity of this line—say, one at Picolata and the other at Tampa bay. His intermediate depots, if any such had existed, must necessarily have been supplied from either Tampa bay or Picolata. The only means of carrying these supplies, as there was no water communication on the whole route of two hundred miles, was by wagonage, in a country which had neither horses nor wagons, other than such as the quartermaster's department might supply. I myself attempted, with the inadequate transportation which I found at Tampa bay previously to receiving any definite instructions from General Scott, to establish two depots in advance of my position: one on the Hillsborough, twenty-three miles from Tampa, and one on the Withlachoochee, twenty-five miles beyond the Hillsborough. Could I have succeeded—had I had adequate transportation, I should have enabled General Scott's army to keep the field as long as he might think proper, and also General Eustis's army, as long as he might choose to keep the field: but, for want of the transportation to establish these two depots, I could not effect the object; and General Scott, for instance, having no intermediate depot between Fort Drane and Tampa bay, nor General Eustis

between Volusia and Tampa bay, both were prevented, by the exigency of circumstances, from continuing as long on the fighting ground as would have been necessary to strike the enemy with any considerable effect. It is a fact, that most of our parties were capable of carrying not more than about ten days' provisions; that it generally took us five days, say, to get within striking distance of the enemy, who had only to keep himself in covert for two days, before his invader was forced to retire from his presence to avoid starvation. It is my belief that General Scott, having found this base of operations thus constituted, had not the means of altering the position of things beneficially—he had not the means of establishing the intermediate depots; or the time, if he had had the means, to effect the change in the existing disposition of things. As it regarded the country covered by General Scott's troops, I do not hesitate to say that no army ever sent out by the United States has ever covered more ground, and made more active and painful marches; but, from the simple fact that the Indians had only to remain two or three days under cover, without fighting, until our provisions were exhausted, we were never able to bring them to battle.

The Court adjourned to meet to-morrow at half-past ten o'clock.

DECEMBER 8, 1836.

The Court met, pursuant to adjournment. All present.

Colonel Lindsay's testimony continued, in answer to the last question.

Amongst the causes which would operate to prevent the reduction of the Seminole nation by rapid military movements, it may be stated that, from the nature of the climate, they have no towns or villages, and very little agriculture, as the earth and the waters spontaneously produce all the food necessary for their subsistence in the field. They were hemmed in on no frontier by the whites. In this respect they differed from the Creek Indians, for instance, who, if beaten on the Georgia frontier, would be equally repulsed on the Alabama frontier, should they seek refuge there; but the Seminole Indians might flee from the Gulf of Mexico to the Atlantic, and from the Wacassa to the Everglades, without meeting with a white enemy. In consequence of the climate, they could construct temporary habitations with the palmetto, which would keep out the sun and turn the rain, in less time than a white man could pitch a tent, if he had it. Heretofore our operations against Indians have been successful, in proportion as we could move in upon their villages and corn-fields, and burn or destroy them; but the Seminole climate and country left us no such means of military coercion. Another cause of the failure of our operations against the Seminole Indians may be found in our total ignorance of a country which, although near to us, was as much unknown as the interior of Africa; neither could we procure guides who were at all acquainted with the country; the friendly Indians alone presented themselves to us for that service, who, I conscientiously believe, were interested in misleading us; consequently, as it regarded my own movement, I never knew any thing of the country in advance of my pioneers. In the conversation with General Scott, at Augusta, I suggested to him the propriety of organizing a spy corps, to consist of some two

hundred or three hundred mounted men. I endeavored, in reference to my own movements, to form a spy corps, in order that I might see a little in advance of my pioneers. I issued an order to organize such a corps, and I found, from the scarcity of horses, that I could not mount nine men. So small a corps being totally inadequate for the purposes which I wished to effect, I abandoned the attempt. I was also so scarce of horses that, though frequently, on my march, I could see to the right and left droves of Indian cattle, I was compelled to suffer them to pass; and only in a few instances, where the officers of the command lent their horses to the persons ordered to drive these cattle into camp, could I obtain any at all. I do conceive that the transportation was totally inadequate to the wants of the campaign.

21. *Question by General Scott.* The witness spoke of the want of a sufficient number of competent guides. Was it practicable for the witness to have found at Tampa bay, or in Florida, better or more competent guides than those he actually obtained?

Answer. When I arrived at Tampa, it was stated to me that General Gaines had taken off all the guides, Indians and others, upon his march to the north. I found actually none there, although I hired some individuals, who pretended to some knowledge of the country, in the capacity of guides, though they were actually as ignorant as myself of the topography of the country, and none better or other could be obtained.

22. *Question by General Scott.* Did you find any road open in your operations in Florida, (other than the Fort King road,) or had you to open roads for your marches?

Answer. I found no other road open than the Fort King road, and my pioneers early opened all the roads over which I marched.

23. *Question by General Scott.* What was your observation in respect to the capacity of troops, regular or militia, to march, each man with a knapsack, musket, ammunition, and four days' subsistence on his person, as late as the 20th or 25th of April, in reference to the heat of the climate in the country southeast of the Withlacoochee?

Answer. I think about that time both description of troops became so much exhausted by four o'clock in the day (for both had been *bivouacking* for about ninety days, and whether they were marching or at rest were equally exposed to the weakening influences of the climate) that a much inferior force at that hour of the day, fresh, would have had decided advantages in a conflict with any portion of the army with which I was in contact. The heats of Florida from April out are exhausting and desolating.

Question by the Court. If the country furnished ample means of cover and of subsistence by the spontaneous productions of the earth and water for the Seminole warriors, why could not the white troops in the same country cover and supply themselves by the same means, and thus pursue the enemy or keep the field?

Answer. The subsistence said to be obtained by the Seminoles consisted principally in a root called "conte," which, by certain preparation unknown to soldiers, and which is withal very tedious, yields a farinaceous substance called arrow-root. Few of our troops were acquainted with the plant when they saw it, nor do I think any but an Indian could have subsisted upon it. The Indians, besides, have resources of fish and game, which we had not leisure to take. With respect to the habitations con-

structed of the palmetto leaf, I anxiously endeavored to induce the company officers to have their men instructed in the construction of these habitations, but, after weaving the thatching for a roof, we found in no instance that they would turn rain, and we abandoned the attempt for want of skill. One other resource of the Indians consisted in large herds of cattle, which were driven into the swamps and hammocks, in advance of all our movements, for concealment; and so successful had they been in hiding this property, that although I subsisted my own army on junk beef for four days, all that time I never killed a bullock or any thing but a milch cow.

25. *Question by General Scott.* Were not many of the Alabama regiment discharged by you in the month of April, on account of disability; and was not that disability produced by the effects of the heat and the climate?

Answer. Yes. I marched out with the Alabama regiment something like 812 strong on my first march; on my last, the same regiment consisted of about 460, and at this last period there were 400 sick with the dysentery at Tampa bay; all of which I attributed to military movements in a malignant climate.

26. *Question by General Scott.* The witness has spoken of the dispersion of the Indians: was not that state of dispersion favorable to the subsistence of the enemy?

Answer. Highly so. They had only to retreat upon their swamps, where they had plenty of cattle; upon the ponds, where they had plenty of fish; and upon the woods, where they had plenty of the "conte;" and in no instance did I ever learn that any portion of the hostile force carried provisions with them on their march.

27. *Question by General Scott.* In reference to the surface of the Seminole country, what were the facilities of the enemy in concentrating after dispersion?

Answer. They were very great, as connexions of hammocks and swamps would enable them to traverse the country in almost any direction, concealed from us.

28. *Question by General Scott.* In any instance was the column under your command, or any part of it, on meeting the enemy, defeated, or repulsed; or was the enemy, in every case, repulsed or driven?

Answer. In every case the enemy was repulsed and driven.

29. *Question by General Scott.* What sutler's stores did the witness find at Tampa bay; did any arrive during his stay there, and did not the troops, officers, and men suffer much from the want of such stores?

Answer. When I first arrived at Tampa bay, which was about the 6th of March, there were the remains of the sutler's stock, and I understood that the sutler had gone to New Orleans to replenish that stock. On my march to Fort Alabama and return, I found the stock had diminished considerably. On my march to Chickuchatty and return, about the 4th of April, I found the stock entirely gone; that is to say, I could get a gill of whiskey for half a dollar; and with regard to all those articles of comfort which a soldier might want, whether of clothing or diet, there was literally nothing in the sutler's store. I did understand that Mr. Morris, the sutler, had gone to New Orleans to replenish his stock, and, learning there that General Gaines had subdued the Indians and forced them to sue for peace, he did not think it necessary to bring on another

supply, and none was brought during my continuance at the post. There was considerable suffering among the troops and officers for want of sutler's supplies. There was not, within my knowledge, any other shop or store of any sort at the post.

Brevet Brigadier General Abm. Eustis, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* How many days' subsistence was the witness enabled to take with his column on its advance from Volusia upon Pelaklikaha, and why was the quantity limited to — days ?

Answer. Thirteen days ; no more could be carried for want of means of transportation. Five days' rations were carried by each individual, and subsistence for eight more for each man was carried in the wagons.

2. *Question by General Scott.* Was there a full supply of hard bread for witness's column on the St. John's, at the commencement of his advance on Pelaklikaha, or was he obliged to substitute a portion of flour ; and had any bacon arrived before the commencement of that march ?

Answer. The column under my command never had a full supply of hard bread. It was not to be obtained. I had no bacon. I was of course obliged to take a portion of flour.

3. *Question by General Scott.* Did the enemy met with by the troops under the witness's command show a disposition to treat or surrender, or the reverse ?

Answer. The appearance of an enemy was always announced to me by their firing upon my advanced guard. There was no disposition shown to treat with us, or to have any communication with us.

4. *Question by General Scott.* In respect to hard bread and bacon, what were the means of supplying the witness's column found at Tampa bay ?

Answer. I received at Tampa bay, by dint of great solicitation, from the commanding general, about five days' rations of bacon for the column under my command. There was still a deficiency of hard bread ; but it is my impression that I marched from Tampa bay with about eight days' rations of bread and some flour. A considerable portion of the hard bread was baked by the men of my command in ovens which were constructed at Tampa bay while we were there.

5. *Question by General Scott.* Had not the witness reason to believe that the hard bread and bacon issued to his column were in exact proportion to the issues made to the other troops ?

Answer. I believe so. I know that a portion of the bacon was taken from Colonel Lindsay's command, which he considered as belonging exclusively to them.

6. *Question by General Scott.* What part of your column was marched by you to Tampa bay, and what portion halted in the interior ; how long did your mounted men and wagons remain at Tampa bay ; and did you consider that delay as indispensable in order to recruit your cavalry horses and those of the baggage-train ?

Answer. The part of the column that was marched into Tampa bay consisted of Colonel Goodwyn's regiment of mounted South Carolina volunteers ; the portion halted sixteen miles distant from Tampa bay consisted of a battalion of 1st regiment United States artillery, under Major Kirby, about 190 men ; a company of South Carolina volunteers, (Cap-

tain Elmore's,) about 100; and Colonel Brisbane's regiment of South Carolina volunteers, about 500. The horsemen remained at Tampa bay about 12 days, from about the 5th to the 16th of April, inclusive; during that time the wagons belonging to my column, or a portion of them, made one trip from Tampa bay to Fort Alabama, on the Hillsborough, to make a deposite of provisions and forage, and one trip to the camp of the foot soldiers, with provisions for them. When I reached the camp, within sixteen miles of Tampa bay, the horses of the mounted Carolina regiment, of the wagon-train, and of the artillery, (for I had two pieces of artillery,) were so much exhausted for want of forage, that I found it necessary to cause them to be led, not ridden, to Tampa bay, for forage. I consider the delay at Tampa bay as having been indispensable, in order to recruit those horses, and that they were not fit to move one day earlier than they actually did move.

7. Question by General Scott. How did you find the grazing for horses, generally, in your marches through Florida?

Answer. Almost none. The grass was so scanty upon the burns that it required a range of at least three acres to afford subsistence for one horse. This was on the march downward. It was somewhat lessened on the return march.

8. Question by General Scott. What was the quality of the corn and long forage issued to the horses of your command at Tampa bay?

Answer. The hay was very good, generally; the corn, much of it, heated, and so bad that the horses refused it.

8. Question by General Scott. Do you recollect any thing of a proposition submitted through the officers of Colonel Goodwyn's regiment at Tampa bay, to take on the horse of each officer and man three bushels of corn, in the next movement from that place; and what was the result of that proposition?

Answer. I remember such a proposition being made, and conversing with Colonel Goodwyn about it. The result of the conversation was, that, if such order were given, it would not be obeyed, and could not be enforced.

10. Question by General Scott. What quantity of corn was finally taken, upon an average, by the mounted men of your column, on the march from Tampa bay?

Answer. They were ordered to take five pecks for each horse, but it is my belief that they did not actually carry more than three.

11. Question by General Scott. What detachments were made from the witness's column, on the return march from Tampa bay?

Answer. Colonel Goodwyn's regiment was detached to Pease creek, about fifty miles from our line of march, to the south. I do not recollect any other detachment until we arrived at Volusia, when a detachment of two companies of mounted men, and about sixty in boats, was ordered to Spring Garden, on the St. John's. The party in the boats did not succeed in reaching the point of destination; the horse, however, did succeed, and scoured the neighborhood. General Scott also moved himself with a detachment in a steamboat up the St. John's. I had forgotten to mention that two days before I marched for Volusia, General Scott had gone in advance, with two companies of mounted men, to Volusia.

12. Question by General Scott. What does the witness recollect of General Scott's wish that the left wing should extend its search for the

enemy as far to the east as lake Tohopkelika; and was it possible, with the means of transportation and subsistence at the witness's command, to make that swamp, without imminent hazard of being several days without subsistence?

Answer. General Scott more than once expressed a wish that the wing under my command should strike a blow upon the party of Philip, the Indian chief, who was said to reside near to the lake Tohopkelika. During my stay in Florida, I never was able to find an individual who had ever been at that lake. I am not sure now that it is not an imaginary lake. I am certain there was no individual with the left wing of the army who knew where to find it. With the means of subsistence and transportation within my control, and without a guide, I thought it little less than madness to attempt to go in pursuit of a lake of which nobody knew any thing but by report, and I feel quite sure that the troops under my command would not have gone.

13. *Question by General Scott.* The witness has spoken of the proposition made to his mounted regiment, in respect to corn to be taken on horseback. Was not that proposition connected with the proposed march around the supposed lake Tohopkelika?

Answer. My impression is, at this moment, that Colonel Gadsden, who was the chief of General Scott's staff, and who appeared to be better acquainted with the topography of Florida than any individual I saw there, wished the column under my command to march southerly from Tampa bay, by a lake which he described to be the head-water of Pease creek, and thence round the head-waters of the Ochlawaha, so as to endeavor to find this said lake Tohopkelika; but he did not pretend to know precisely where lake Tohopkelika was. I think it was in accordance with this wish of Colonel Gadsden, that the proposition was made to Colonel Goodwyn.

14. *Question by General Scott.* What guides had the witness for his movements in Florida: were they in sufficient number, and qualified for the service, and could the witness have obtained better guides?

Answer. The only guide whom I could procure was a drunken negro, named Ben Wiggins. I offered high prices, but could obtain no other. His knowledge of the country extended as far as Pelaklikaha. I had not an individual with me who could lead my column one step beyond the road to Fort King, southwest. I had no friendly Indians with me, no scouts, no spies, no guides, except the one named, and he would get drunk whenever he could get liquor.

15. *Question by General Scott.* With a full supply of hard bread and bacon, how many days longer could you have kept the field in your march upon Tampa bay, with your means of transportation, and how many days longer on your return march to the north?

Answer. I could, as it was, have kept the field longer than I did, in marching to Tampa bay; my subsistence would have lasted two days longer; I could have kept the field with bacon, I suppose, about three additional days. I mean that the weight of nine days' rations of pork in barrels would have been equal to twelve days' rations of bacon I think. I tried to lessen the weight of the pork by drawing off the brine, and also by taking it out of the barrels and carrying it in bulk in the wagons; but the heat of the climate at mid-day spoiled a good portion of that which was thus treated.

The Court adjourned to meet to-morrow morning at ten o'clock.

DECEMBER 9, 1836.

The Court met, pursuant to adjournment. All present.

General Eustis in continuation.

The detachments which I have already mentioned as being made from my column on the return march from Tampa bay were made by the express command of General Scott. When Colonel Goodwyn received an intimation that his regiment would be ordered to Pease creek, he came to me to request my intercession with General Scott that they should be excused from that duty, expressing great doubt whether his horses would be able to accomplish it, and the extreme reluctance of his men to go upon the expedition; assuring me, however, that if they were ordered they would obey. After conversing with General Scott, I informed Colonel Goodwyn that my intercession was in vain, and advised him to wait on General Scott in person on the subject. He did so, and immediately after his interview with the general, he informed me that General Scott was bent on the expedition, and that he must obey, however reluctant. The companies composing the detachment spoken of from Volusia for Spring Garden, were designated by General Scott himself, before I reached Volusia; and it was only with great difficulty, by an urgent appeal to the patriotism and State pride of the South Carolina brigade, that I could induce them to obey the order; the terms of service having nearly expired, and all being anxious to return home.

16. *Question by General Scott.* What sutlers' stores did the witness find at Tampa bay; did any arrive during his stay there, and did not the troops, officers, and men, suffer much from the want of such stores?

Answer. I found no sutlers' stores at Tampa bay when I arrived there; none arrived while I was there, and both officers and men suffered for the want of them. For myself, from the time I marched from Volusia to my return to it, I had nothing but the soldier's ration; carrying no personal supplies for the want of transportation.

17. *Question by General Scott.* Was there any suffering among the troops of your column, volunteers and regulars, for the want of shoes, jackets, shirts, &c., articles usually found in sutlers' shops or stalls?

Answer. Not to my knowledge.

18. *Question by General Scott.* What practicable road, other than the one from Tampa bay to Fort King, did the witness find in his operations in Florida; or did he cause roads to be opened by his troops?

Answer. I found a tolerable road from St. Augustine to Picolata, and from St. Augustine south to Tomoca creek; none other than those I have mentioned, except the Fort King road. I did cause roads to be opened by the troops, and bridges to be made. The bridge over the Ochlawaha cost me one entire day or eighteen hours' incessant labor, in going to Tampa bay, and about half that time in returning; part of the bridge being destroyed by the enemy. I had also great difficulty in crossing the two branches of the Withlacoochee and the Hillsborough. The big Withlacoochee I bridged. The banks of the line branches of the Withlacoochee and the Hillsborough were so precipitate that horses that could not be used in crossing the wagons; they were obliged to be hauled over by the soldiers. The same difficulty also occurred in a palmetto swamp of considerable extent, where horses could not be used on

account of the bog. The difficulty of crossing this swamp was such as to consume nearly the whole day in getting the wagon-train across it. The column starting at an early hour was, on account of the difficulties presented by this swamp, unable to accomplish more than four or five miles march on that day.

19. *Question by General Scott.* Some of the witness's troops were a little delayed in arriving at his advance depot, Volusia, and the column delayed beyond the time first proposed for its reaching its position at Pelaklikaha. Will the witness state to the Court the accidents which caused these delays?

Answer. Before I had received the orders of General Scott to concentrate my force at Volusia, a portion of the troops constituting the left wing had been extended through a chain of posts as far south as Williams's plantation, on Musqueto inlet, where a small depot of provisions had been established, and where Major Kirby with two companies of artillery was posted. A few days after the arrival of the mounted regiment of South Carolinians at St. Augustine, I detached Lieutenant Colonel Butler with four companies, (mounted,) with orders to pass by the four posts occupied by Colonel Brisbane's regiment, and proceed on to Kirby's post, and thence pursue his route, taking Kirby with him, to Spring Garden, with orders also to follow any fresh Indian trail, until he could come up with the Indians supposed to be in that neighborhood. I had myself proceeded by water, in a steinboat, by the Musqueto inlet, to Kirby's post, expecting to meet Colonel Butler there, and to give him further instructions. After waiting there twenty-four hours, and Colonel Butler not having arrived, I hastened back to St. Augustine, and there found General Scott's instructions of the 14th of March, directing me immediately to concentrate my force at Volusia. Orders were immediately sent to the advanced posts to hasten their march, and an express was despatched in pursuit of Colonel Butler. I then proceeded to Picolata to execute the instructions of General Scott at that post, and thence by steamboat to Volusia. I reached Volusia about the same time that the head of the column from Tomoca arrived there. The route from Tomoca to Volusia was so very difficult that several wagons were destroyed and left on it, and many of the horses completely knocked up. On my arrival at Volusia, I learned that Colonel Butler with his battalion had been there, and gone off with the only guide—nobody knew where; neither had any thing been heard of Kirby's battalion. After waiting several days, and having crossed a considerable portion of my force and baggage-train over the St. John's, I ordered a detachment of twenty mounted men, under a subaltern, to pursue Colonel Butler's trail, until he was overtaken, and deliver him my order for his immediate return. This was on the 24th of March. This detachment, after proceeding about four miles, fell in with a small party of Indians, and, after a skirmish with them, returned to my camp without having executed the order. The next day a second detachment was sent on a similar errand, which met Colonel Butler's battalion a few miles from my camp, on their return. On this day also, the 25th of March, Kirby's battalion reached me by a forced march, having abandoned all its baggage in the swamp. Colonel Butler informed me that, on his arrival at Tomoca from St. Augustine, with his battalion, he reported himself to Brigadier General Bull, of South Carolina volunteers, who was then in command at Tomoca, and commu-

nicated to him my orders, directing him to proceed on to Kirby's station; that General Bull countermanded those orders, and peremptorily directed him to proceed immediately to Volusia; that, in obedience to the order of General Bull, he had come to Volusia; and thus, having executed General Bull's orders, he left Volusia to execute mine, and proceeded by the way of Spring Garden to Williams's plantation on Musquito. On his arrival there, he found the post had been evacuated by Major Kirby; but finding forage, and provision for his men, he remained there a day or two to scour the country and refresh his men and horses. During the week that I was thus detained at Volusia in waiting for the detachments under Colonel Butler and Major Kirby, I was daily receiving accessions to my means of transportation, to wit: wagons and horses, sent by steamboat from Picolata, without which I should not have been able to have carried more than four days' subsistence for the troops under my command. The last of these wagons and horses reached me on the evening of the 25th, and I marched from the west bank of the St. John's on the 26th. The weather for a month preceding had been so very rainy that the whole country was under water, and the first night after crossing the St. John's every man in my camp literally slept in the water.

20. *Question by General Scott.* In the witness's operations south of Volusia, had he reason to believe the enemy to be collected into a few considerable bodies, or dispersed into many small parties?

Answer. It is my belief that the enemy was not concentrated in any considerable party. Very small parties, and the trails of such, were discovered by the troops under my command; but I have no reason to believe, at any time during my operations in Florida, that a party larger than one hundred ever approached any portion of my command—perhaps I should speak within bounds if I were to say fifty. The enemy appeared to be gifted with ubiquity; he was to be found everywhere and nowhere.

21. *Question by General Scott.* What were the witness's observations on the capacity of troops to execute marches south of the Withlacoochee, loaded with arms, ammunition, and knapsacks, and four days' subsistence, as late as the 20th of April?

Answer. On the return march from Hillsborough river to Volusia, (which commenced, I think, about the 20th April,) the troops under my command suffered exceedingly from the heat of the weather, and though the column was generally in motion at the rising of the sun, I was obliged to make long halts at noon, so that I could rarely accomplish more than fifteen miles per day.

22. *Question by General Scott.* In your operations southwest of the St. John's river, from what sources did your men and horses generally derive water for drinking, and what was the state of the ponds on your return march upon Volusia?

Answer. The water was generally obtained from ponds, or, as they are generally termed there, "sink-holes;" and on the return march, the water was very bad, from the ponds being much dried, and the great growth of the vegetation around them, the water being nearly a mass of animal life.

23. *Question by General Scott.* About what number of sick and disabled were left by your column at Volusia, Tampa bay, and Fort Alabama?

Answer. I cannot speak with any certainty; but imagine about three

hundred. The measles prevailed more than any other disease. I think that in the course of the three months' service of the South Carolina brigade, (consisting of at first sixteen hundred men,) there were nearly five hundred cases of measles. I should think about one out of five or six who had the measles was able afterwards to perform duty.

24. Question by General Scott. Is the witness aware that General Scott failed in any particular, in point of zeal, activity, and judgment, to do all that was possible, under the circumstances, to give success to the war against the Seminole Indians?

Answer. I am not aware of any deficiency in the conduct of General Scott, as commander of the forces. I believe that he did all that man could do under like circumstances.

25. Question by General Scott. In reference to the surface of the Seminole country, what were the facilities of the enemy in concentrating after dispersion?

Answer. The facilities were very great, owing to the numerous covers, such as hammocks and swamps, which were generally connected as a chain, through which the Indian trails led; so that if small parties were discovered in the pine openings, they could generally take cover before they could be attacked.

Question by the Court. What were the principal causes that prevented the subjection of the Seminole enemy in Florida, in the campaign conducted against him by Major General Scott, in 1836?

Answer. The want of time during which operations could be carried on in the Seminole country; the deficiency of all supplies appertaining to the quartermaster's department, especially the means of transportation; the peculiar nature of the country, and of the climate, and the character of the enemy, exhibiting the finest traits of partisan warfare; the peculiar nature of the principal part of the forces employed, and their very limited term of service; the country which was the scene of operations being one entire unexplored wilderness, furnishing neither subsistence nor shelter for man or horse, the want of depots of provisions and forage, prevented the operations of the army being continued to any considerable extent; the entire want of guides and an impossibility of procuring them at any price or by any inducement. When I said the country was unexplored, I meant to convey the idea that it was utterly unknown to the whites in all its features. I have objected to the kind of troops employed during the campaign under General Scott in Florida. Eight-ninths of the troops under my command were militia volunteers, mustered into the service of the United States for three months; more than half of which term had expired before they crossed the St. John's to march into the enemy's country. There were very few individuals among them who had ever seen an Indian, or had ever passed over an Indian boundary. I have said that I had but one guide; there were, however, five other individuals attached to my command, who were paid as guides, but who knew literally nothing of the country west of the St. John's, having, I believe, never been there, with the exception of one who had driven a carriage from Fort King to Tampa bay, on the military road, but had never deviated to the right or left of the road. I have heard the testimony of Colonel Lindsay to a similar question, and I concur fully in the opinion he has expressed.

Question by the Court. Was there a sufficient number of troops at the

disposal of General Scott, and under his immediate command, to subdue the Seminoles, had the operations been commenced at an earlier day, and the supplies of every kind amply furnished for the war?

Answer. It is my opinion that there was a sufficient *number* of troops under the control of General Scott for any operations in Florida against the Seminole Indians. As to the power of subduing them I cannot answer, for they never could be found in numbers to combat; neither do I believe they ever will be found concentrated again.

Question by the Court. Was the supply of arms and ammunition abundant and of good quality?

Answer. So far as related to the troops under my command, yes. I cannot answer for others. With regard to the ammunition, a large proportion of it was prepared at the State arsenal in Charleston, South Carolina, and by Captain Van Ness's company of artillery, which had been detained at Fort Moultrie for the purpose of making cartridges. All my tents and most of my camp equipage, including knapsacks, were obtained on a loan from the State of South Carolina.

Question by the Court. Were the provisions furnished the troops as rations, good, wholesome, and abundant?

Answer. I believe so.

Charles M. Thruston, Esq., late a captain in the army, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by Major General Scott.* In what capacity did the witness serve with the Florida army, between say February and June, 1836?

Answer. Up to about the 15th of March, I was commanding a battalion at Fort Drane, and about that time I began to act as assistant adjutant general of the right wing of the Florida army, and continued so to act until about the middle of May. General Clinch was the commanding officer of that wing of the army throughout the campaign, though General Scott, the commanding general, in person, marched with it to Tampa bay.

2. *Question by General Scott.* What was the condition of the troops brought by Major General Gaines from Tampa bay, on their arrival at Fort Drane from Camp Izard, and was their strength sufficiently recruited for active operations before the 20th or 25th of March?

Answer. Those troops appeared to have suffered very much by exposure, fatigue, and want. Many of them, upwards of one hundred of the sick and wounded, were left behind at Fort Drane, when the army marched on the 25th of March. The troops of General Gaines's army that did march with us were never, in my estimation, sufficiently recruited to undertake that march. This impression I derived from my own observation, and information derived from the officers belonging to those troops on the march to Tampa bay.

3. *Question by General Scott.* When the right wing of the army commenced operations from Fort Drane, what was the general belief at the headquarters of the wing, and at General Scott's headquarters, as the enemy's then position and concentration?

Answer. I did not entertain a doubt, myself, that the enemy was still concentrated about the Withlacoochee, where, I believed, and I think it

was the impression of others who had the best opportunities of information, that the women and children were there placed for security by the enemy; that they would defend the passage of the river with all their force, as they had done when threatened by General Gaines. I heard no other supposition than that there we should be resisted, and that there the principal battle would be fought. That impression continued with me and others, and I believe generally throughout the wing, until our advance had landed on the opposite bank. I will mention, in support of this opinion, the fact that one of our men was cut off by a small party of Indians, said to be five, within eight miles of Fort Drane, on our first day's march.

4. *Question by General Scott.* Was not the general impression just stated by the witness increased by the *bravado* discharge of arms by the enemy on the arrival of General Clinch's column on the Withlacoochee?

Answer. When we arrived on the Withlacoochee, a single discharge of a six-pounder was given as a signal gun. It was immediately replied to by a rifle on the opposite side of the river. In the course of that afternoon, some volleys were fired by the enemy on the opposite side of the river, and during the night they fired into the camp—from what point I do not know, but I presume a distance of from three hundred to four hundred yards.

5. *Question by General Scott.* About what day did the last train of wagons, with subsistence, arrive at Fort Drane, prior to the march of General Clinch's column to the southeast?

Answer. I don't remember the precise day. The wagon-trains, from the 5th day of January, when the train consisted of not more than five wagons, were kept plying between the St. John's river and Fort Drane with the greatest activity and despatch possible with our means, averaging a trip, I think, once in eleven or twelve days, for the purpose of subsisting the few troops there during the great part of the winter, and accumulating a supply to open the campaign with whenever reinforcements might arrive. The train alluded to in the question must have arrived at Fort Drane within two or three days before our march; because it had been arranged that not a single day's subsistence should be consumed there, if it could be avoided. The day appointed for the march was the 25th day of March; but a torrent of rain fell the whole of that day, and prevented until the next morning. For a month, or perhaps more, before the 25th of March, the train had been increasing in strength, by horses and wagons supplied at Picolata and Black creek.

6. *Question by General Scott.* What was the general character of the weather from about the 25th of February to the 25th of March, at Fort Drane?

Answer. We had, between those points of time, several (at least five or six) northeast storms, very distressing to troops exposed, accompanied with a great deal of rain. We had some cold weather, with ice an inch thick. I will go on to state that there is only one other condition of circumstances (the summer climate) connected with that country, so hostile to military operations as that produced by these rains. In the portion of Florida of which I am speaking, there may be said to be but one road, (that from Tampa bay to Fort King,) which would be greatly injured by them: but where new roads are to be made and marches to be performed,

the difficulties are immensely increased by them, as we found by subsequent experience.

7. Question by General Scott. At Fort Drane, and thence on the march of the right wing upon Tampa bay, did not the witness participate much in the conferences between General Clinch and General Scott, and in the confidence of both?

Answer. I was honored by the confidence of both those gentlemen. I was very frequently present, by invitation, at such conferences; and at other times both Generals Scott and Clinch expressed themselves, informally, about the condition of things, and the operations of the campaign, to me.

8. Question by General Scott. What did the witness understand to be the motives and calculations upon which the post called *Fort Cooper* was established?

Answer. According to my understanding at the time, that post was established as a post of observation. In passing up the Withlacoochee river, on the east side, a country of great impracticability against military operations, and therefore highly advantageous to the enemy for his position, presented itself to us. This country, until we saw it, was entirely unknown to us. Not having found the enemy concentrated in any large force, it was thought by General Clinch, I am sure—certainly by myself—that they were still secreted in this pond or cove country. I understood the object of establishing that post there to be, to make observation of the enemy's country. Another inducement may have been that many men began to report sick, and became applicants for transportation in the wagons; which state of things, had it increased in the ratio of the previous day, would have prevented our reaching Tampa bay without establishing a post somewhere on the route. On the morning of the day of establishing that post, the wagons began to be so loaded down with sick, and some wounded, that it became necessary to eject from them every article of camp equipage, of the small supply of camp equipage that we had with us, to reduce it to the lowest possible quantity for troops. A strict scrutiny was ordered by the surgeons to discriminate between those of the sick who could march and who could not; General Scott himself, in person, superintending that examination.

The Court adjourned to meet to-morrow morning at ten o'clock.

DECEMBER 10, 1836.

The Court met, pursuant to adjournment. All present.

Brigadier General Eustis again before the Court.

26. Question by General Scott. Had you any regular staff officer of the adjutant general's, inspector general's, quartermaster's, or commissary's departments, with your wing or column?

Answer. No; with the exception of the adjutant of the 1st regiment of artillery, who was charged with the duties of assistant adjutant general. There were so few officers attached to the battalion of regular troops, that I could not withdraw one to serve as quartermaster; but was compelled to intrust all the duties of the quartermaster's department to the regimental quartermaster of one of the volunteer regiments.

27. Question by General Scott. In the operations of your column, did

it, or its detachments, meet with any repulse or check from the enemy ; or was the enemy on every occasion repulsed or driven ?

Answer. The column under my command never met with any check from the enemy ; and the enemy was always repulsed whenever he appeared, unless the attack upon the post of Volusia, as reported by Major Gates, be considered an exception.

Captain Thruston again before the Court.

9. *Question by General Scott.* About what time did General Clinch's column reach Tampa bay ; how many days did it remain in that vicinity, and was that delay greater than was absolutely necessary to recruit the men and horses for renewed operations ?

Answer. It reached the Hillsborough river, opposite to Tampa bay, on the morning of the 6th of April. It remained in position there until the 14th. The delay was not greater than was absolutely necessary to recruit the men and horses. The horses were very little, or not at all, recruited ; the corn received at Tampa bay was so bad that many of the horses refused it ; I know that several died in consequence of eating it ; and the horse-power of the train was not stronger when we left the position than when we reached it. On the morning of the day before leaving Tampa, all the sick and all the feeble who might be considered unable to undergo the fatigues of another march, in the advanced stage of the season, were carefully selected out and left at Tampa bay. For the purpose of this selection, a board of medical officers was appointed. Many of the volunteers were discharged on account of sickness ; such as preferred returning home by water to remaining at Tampa. I don't recollect the number left at Tampa ; but I think of "C" and "H" companies of the 3d artillery, twelve or fourteen men were left at Tampa. I mention this fact in order that it may be judged of the number of sick generally left there, as I can't recollect the number. These companies were reduced by the action on the 31st of December, in which they had about twenty-five wounded ; and some left behind sick at Fort Drane. I think they wanted one-third of being full, each. I speak entirely from memory, without reference to my notes, in respect to all the numbers in this answer.

10. *Question by General Scott.* The wing or column under General Clinch entered and scoured the cove of the Withlacoochee about the end of March. When that column withdrew from the cove, what was the impression of the guides and of headquarters, as to the column having scoured the cove to its head ?

Answer. I will remark, in the first place, that we had no guides who knew any thing of that part of the country. We entered what is termed the Cove of the Withlacoochee on the 31st of March, when we were met by the enemy. They were driven across the river some three or four miles, when, believing that we had passed through the ground which appeared to be the most difficult to us and most favorable to them, we returned to pursue our original route, it being impossible to pass any kind of vehicle over the ground through which we chased the enemy. In pursuing our route, we discovered a continuation of the same difficult and impracticable country. Finding that description of country continued for twenty miles, and believing then that the body of the enemy might be still secreted there, the post of Fort Cooper was established. There was

another motive for leaving a battalion in that country, as we might there deposite the remains of our subsistence, and, by leaving them, return with a larger supply in our train from Tampa, to what we then supposed would be the scene of further operations. I will state, generally, as to guides, that the only person with us who had any knowledge of the country was Colonel Gadsden, who, several years before, had run a line from the Withlacoochee to Tampa ; but not by the route which we pursued. We were so ignorant of the country that we arrived and encamped within a mile of Tampa bay, without knowing of our proximity ; and it was only by accident that we discovered that night that we were within a quarter of a mile of the Hillsborough. I have heard, from individuals in Florida, that no white man was ever known to have been admitted into what is termed the Cove of the Withlacoochee ; that the Indians had always been jealous of exposing that country to the knowledge of the white man. That cove is not farther from Fort King, at its nearest point, than eighteen miles. Troops have been stationed at Fort King three or four years during the friendly intercourse with the Indians, and not one of them had any knowledge of that cove country. The cove appeared to me, from the knowledge I had of it, to be a large shallow lake, about twenty-two or twenty-three miles in length, occupying a bend of the river, and communicating with the river by cypress swamps on its banks at many places. The breadth of the lake is generally from one to five miles, interspersed with islands of hammock growth and apparent fertility. The peculiar impracticability against military operations arises from the water being too shallow for boating, and the impossibility of passing to the islands, except on foot, through morasses of such depth that our troops, at the three points at which it was passed, were nowhere less than up to the middle. After seeing something of this country, I remember asking General Scott himself, if any description could have given him an adequate idea of the difficulties which presented against a military approach. He replied, it could not.

11. *Question by General Scott.* Was the enemy, met in the cove, defeated, driven, and dispersed ; and what were his probable numbers ?

Answer. The enemy was driven and dispersed, at all points, instantly, and chased until he fled across the Withlacoochee river, between three and four miles from the ponds at which the skirmish began ; making a stand on his retreat at some two or three points most favorable to him. I estimated the numbers by the firing, and by what I saw, at about one hundred and twenty.

12. *Question by General Scott.* Could the cavalry and artillery have followed the foot of our column in the pursuit ; and were not the mounted officers, generally, obliged to dismount and leave their horses ?

Answer. The difficulty was so great, although we passed at the most favorable point of the three at which the morass was passed, that only one horse was got over, and he was dragged through by the men. Every officer was obliged to dismount and wade through. The depth of the morass where I passed was about up to the middle, and miry, so that some of the feebler men were obliged to be assisted through by the stronger. General Clinch himself was assisted through by the aid of two men. At the other two points at which the morass was passed, they had still greater difficulty. This appeared to be the character of the approach to the islands in the lake which we afterwards saw in passing up the

outer border of it. These morasses are wet savannahs, grown up with tall saw-grass, ten or twelve feet high in most places.

13. *Question by General Scott.* State to the Court the roads, if any, found by General Clinch's column in the Seminole country; and what roads, causeways, and bridges the column had to open and to construct?

Answer. The road from Fort Drane to the Withlacoochee was known to us, having been made, by General Clinch's command, in the two former expeditions. Beyond the Withlacoochee, towards Tampa bay, we had to cut out and bridge every step of the road, our route being pursued by a compass. On our first day's march from Fort Drane, the road had been rendered so nearly impassable by the heavy rains which I have spoken of, that it was only by the united exertion of the whole column that the train could be passed, being obliged to lay down a considerable portion of the road with small pines. A march of twelve miles on the first day injured the horses and teams more than three days' march would have done over average roads. The route to the Withlacoochee was in very bad order for nearly the whole distance. The route afterwards, to Tampa bay, was hilly and sandy, and of course very exhausting to the horses of the train.

14. *Question by General Scott.* Please state to the Court the quality of grazing, and, generally, the water for men and horses found by General Clinch's column in its operations upon and from Tampa bay?

Answer. The grazing was very meager and insufficient on every part of the route; the Indians had been very cautious that the country should not be burnt, as is the immemorial custom annually, and without which the grazing generally amounts to nothing. Orders were given on the march to Tampa to fire the country at every half mile, that we might find grazing on our return. On the march to Tampa, the water we found tolerable; on the return from Tampa very much worse, unfit for use where any other might be had. A difference of twelve or fourteen days of hot sun occasioned a great difference in the quality of the water. Our dependence for water was on the wet savannahs and limestone sinks, ("sink-holes," as they are termed in that country,) all of them grown up with vegetation and teeming with insects. For the want of wholesome water, I ascribed, in a great measure, the sickness which occurred on our return march. The number of sick was such that, on the third day, on our return march from Tampa, although every thing was ejected from the wagons, by a board of officers appointed for the purpose, except such articles as were absolutely necessary for the subsistence of the troops, and retaining only one-tenth per company, (three having been the number per company originally allowed,) that the wagon-train could not transport more than two-thirds of the sick; many of the sick horsemen who could ride on horseback not being taken into the account.

15. *Question by General Scott.* In respect to heat after the early part of April, what was your observation as to the capacity of men and horses to take on each, say four days' subsistence, and to execute ordinary marches thus loaded?

Answer. On our first day's march from Tampa, thus loaded, we had not proceeded five miles before the men began to be greatly fatigued; and although men and horses had been recruited at Tampa by eight days' rest, our return to the Withlacoochee occupied one day more than our march from the Withlacoochee to Tampa. We had not proceeded ten

miles on the first day's march before the broken down footmen began to be taken into the wagons. This arose from the heat of the climate and the insufficiency and bad quality of the water. The horses suffered equally with the men; several died on the road in the first three days, and on the morning of the fourth day I remember that five or six were found dead in camp—some were turned out as of no further use.

16. *Question by General Scott.* From what you saw and knew of General Scott's plans, arrangements, and personal conduct, is the witness aware of his failing to do or to attempt all in his power, under the circumstances, to give success, if possible, to the campaign with which he was charged against the Seminole Indians?

Answer. I can only answer, that every thing which I saw about General Scott evinced the greatest zeal and devotion for the service. His anxiety appeared at times to amount almost to distress. I believe that no man could have done more. I know that no man could have labored more for success. The delay of a day at Fort Drane, occasioned by the rain, he considered and spoke of at the time as a misfortune to him.

17. *Question by General Scott.* The witness became acquainted with the general plan of operations projected by General Scott, with the benefit of the witness's subsequent knowledge of the enemy and the country occupied by him: what is the witness's opinion of that general plan of operations?

Answer. When I first heard General Scott detail his plan of operations, I thought he had taken more than necessary precautions for advancing into the country with three columns from different points of the peninsula, not doubting that our wing of the army would be met by the enemy in force on the Withlacoochee. Nor did I believe that a nation of five thousand people could conceal itself so effectually in the peninsula south and east of the Withlacoochee that they could not be traced and found by our army. My subsequent experience taught me my error, and to consider General Scott's plan of operations as the only true one.

18. *Question by General Scott.* What, and probably how many, Indian villages were destroyed by General Clinch's column; and, if any were spared, what was the motive of sparing them?

Answer. I do not remember the precise number destroyed; there were few—probably five or six; I think not so many. The most considerable, and the greatest number of villages which we saw on our route, had belonged, as it was said, to the families of friendly Indians at Tampa. Those villages were spared, because it was thought that their destruction might give them pain. Indian villages are such trifling structures, and so easily replaced, that I did not deem their destruction of the least consequence.

The Court adjourned to meet on Monday morning at half-past ten o'clock.

DECEMBER 12, 1836.

The Court met, pursuant to adjournment. All present.

Colonel William De Peyster, a citizen of Florida, and witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* In what capacity were you with the army in Florida; and were you not much about the headquarters of General Scott from his arrival at Tampa bay till towards the middle of May?

Answer. I was a volunteer aid to General Eustis, and was frequently in company with General Scott, at his quarters, after his arrival at Tampa bay—sometimes during the presence of General Eustis.

2. *Question by General Scott.* Did the witness happen to be present when Major Read called on General Scott on the subject of the expedition to the mouth of the Withlacoochee; and what were the instructions reiterated by the said Scott on that occasion?

Answer. I was present when Major Read called there, the day before he embarked. On the subject of transportation, he wished to procure more. After that subject was discussed, General Scott commenced giving him instructions concerning the examination of the mouth of the Withlacoochee, and its soundings and course up to the first obstruction, which I believe is twelve miles. General Scott tried to impress on him the extreme importance and absolute necessity of having a sketch of the river to the falls or obstruction. He requested him to make a sketch of it; if he could not do it himself, he might have some one under his command who could, and, however rough it might be, it would be of importance. General Scott likewise, in the most impressive manner—particularly so—urged the importance of selecting a situation where wood was convenient, to establish a post or depot for a future campaign. General Scott's manner was such as was likely to have great effect on Major Read, and was evidently so intended.

3. *Question by General Scott.* Was nothing said to Major Read of selecting a site as high up the river as practicable, (with reference to wood,) for any post that might become necessary in future operations?

Answer. The instruction given to Major Read was to select a site for a post as high up the river as the obstruction or falls, twelve miles from the mouth; the object being to have a post as far up the river, in the interior, as practicable.

4. *Question by General Scott.* Were there sutlers' stores and supplies found by the troops with which you served at Tampa bay; and, if not, did you learn the cause of the deficiency?

Answer. There were very few sutlers' stores there, and, on inquiring of Lieutenant Morris, the commissary, and brother of the sutler, how it occurred, he told me that information had been received at New Orleans, whence the stores were to be shipped, that the war in Florida had been terminated by General Gaines, on the Withlacoochee. I got the same information from a storekeeper at Tampa, who stated to me further, that, but for the disappointment in not receiving goods, he might have made ten or twenty thousand dollars. There were no stores there except a very scant supply of groceries, which did not last two days.

5. *Question by General Scott.* Was the witness in the way of learning the wants, on the part of both officers and men, of sutlers' goods at Tampa bay, and the complaints made on this subject?

Answer. I saw and felt the wants. We had absolutely nothing but the ration. We were in want of clothing of every description, both officers and men. Our transportation was so limited that I was forced to carry my own clothing and bedding (which consisted of a coat and blanket) on my horse. The soldiers suffered extremely for want of shoes, jackets, hats, and other articles. We were, consequently, much worse off on our return march from Tampa.

Question by the Court. What soldiers suffered for the want of hats, and shoes, and shirts; were they regular or volunteer forces?

Answer. The volunteers suffered more than the regulars, on account of not having a knowledge of campaigning, and were less provident of clothing. I am not certain that the regulars suffered from want of clothing; perhaps they did in the article of shoes.

6. *Question by General Scott.* Did not the volunteers suffer from the want of thin jackets and pantaloons in the place of the woollen brought from the North?

Answer. The volunteers and regulars both suffered on that account; they had no thin clothing.

In consequence of the absence of several important witnesses, the Court adjourned, to meet to-morrow at half-past ten o'clock.

DECEMBER 13, 1836.

The Court met, pursuant to adjournment. All present.

Owing to the absence of several important witnesses, and in order to save time, the Court determined to go into the investigation relative to the Creek campaign, and was occupied until the 15th instant in examining the documentary testimony offered by the Judge Advocate, having reference to that campaign.

DECEMBER 16, 1836.

The Court met. All present.

The investigation into the failure of the Seminole campaign was again resumed.

Captain Green, of the revenue service, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* In what capacity was the witness employed in the months of February, March, April, and May, 1836?

Answer. In the months of February and March last I commanded a revenue cutter on the coast of Florida, and was generally in the neighborhood of Tampa bay and St. Mark's, and on the coast between those two points. The object of my being there was to co-operate with the army, and to render every assistance in my power. From April to May I was employed in conveying transports containing the Louisiana volunteers from Tampa bay to Charlotte's harbor. From thence we went on an expedition up the Miaca or Pease creek.

2. *Question by General Scott.* Did the witness happen to be at Tallahassee about the 16th of March last; and what propositions were made by him to the Territorial authorities respecting the lower part of the Withlacoochee river?

Answer. I was at Tallahassee about that time, and at different periods. I made an application to the adjutant general of Florida, who was acting in the absence of the Governor, for permission to visit the Withlacoochee and to reconnoitre in that vicinity. I was desirous that he should furnish me with small vessels for that purpose. He gave me full authority to do so, and I proceeded immediately to St. Mark's, and was making preparations to proceed on the expedition, and obtained a pilot, who was famil-

iar with the waters in that neighborhood. I had contracted, likewise, for a vessel, and was ready to proceed.

3. *Question by General Scott.* Was it the purpose of the witness to enter and explore the Withlacoochee for some distance up, and with what views?

Answer. I was anxious to explore the Withlacoochee and in that vicinity, as I thought it an important position in the operations of the army. I thought it the best point that supplies could be taken to the army in its operations at that particular time, in consequence of General Gaines's position. We had just received information from Tampa bay, just before I arrived at St. Mark's, that he was on the Withlacoochee, surrounded by Indians, without provisions, and cut off from all communication.

4. *Question by General Scott.* What prevented the witness from proceeding from St. Mark's on his proposed expedition to the Withlacoochee?

Answer. The day that I should have proceeded I received letters from Tallahassee, from the adjutant general, informing me that it was then unnecessary to visit there, and directing me to another quarter, to convey a letter to Tampa bay. I sent that letter, however, by one of my boats, to Tampa, and still kept the cutter at St. Mark's. I received, likewise, a letter from Major Willis, the collector at St. Mark's, but who resided at Tallahassee, stating that it was unnecessary to proceed on the expedition; that General Gaines had beat the enemy, and put an end to the war, and would be in Tallahassee on that or the next day.

5. *Question by General Scott.* Does the witness mean to say that his purpose in wishing to go on the expedition to the Withlacoochee was merely to convey supplies to the troops of General Gaines, or was it also to reconnoitre that river with a view to the pending war in general?

Answer. It was for both reasons. In the neighborhood of the Withlacoochee is the Anclote keys, and we were some time in doubt whether the Withlacoochee emptied itself into the Gulf just at the Anclote keys, where there is a fine harbor. I have since discovered, however, that that is not the case. I wished to reconnoitre the place for information generally in reference to the campaigns. We could get no information unless by actual observation, as the maps and charts, I found, were all very inaccurate. I was induced to think, from one of the maps in my possession, that the Withlacoochee emptied itself into the Gulf near the Anclote keys; but that is incorrect; it does not enter there, but, on the contrary, about thirty or forty miles from them, and in the direction of St. Mark's.

6. *Question by General Scott.* Was not the report mentioned by the witness, that the war had been finished by General Gaines, generally believed at St. Mark's and Tallahassee, and particularly after the arrival of that officer at Tallahassee?

Answer. I returned from St. Mark's to Tallahassee, and there I understood generally that the war was terminated. General Gaines arrived while I was at Tallahassee, and I saw his *entré* into the town. There was much rejoicing, and every thing was calculated to induce the belief that the war with the Indians was terminated. This was the prevailing opinion, although I myself was not decidedly of that opinion.

7. *Question by General Scott.* But for the belief that the war had ter

minated, would not the witness have proceeded on his expedition, notwithstanding that General Gaines's troops were no longer on that river?

Answer. Certainly; I should have proceeded but for this belief.

8. *Question by General Scott.* To what place did the witness next proceed in his cutter from St. Mark's, and for what purpose?

Answer. I went from St. Mark's to Tampa bay. I had with me one of General Gaines's staff, Captain McCall, and Captain Armstrong, of the transport schooner "Motto." I took them to Tampa bay. Captain McCall had accompanied General Gaines on the campaign in Florida, and had arrived with him in Tallahassee.

10. *Question by General Scott.* Did not the witness, on a subsequent visit to Tampa bay, state to General Scott generally the substance of his testimony relative to the witness's desire to visit the Withlacoochee, for the purposes which have already been stated by the witness?

Answer. When I met General Scott at Tampa bay, I found him exceedingly anxious to obtain information respecting the Withlacoochee and the coast along and in that direction. I informed him that I had made repeated application to be directed to reconnoitre in that direction, and was once on the eve of proceeding from St Mark's to do so; but that my destination was altered in consequence of information received respecting General Gaines's movements on the Withlacoochee—I mean, I was prevented at the time I was at St. Mark's. I was always anxious to make this reconnoissance, but some contingency or other prevented it.

Question by the Court. You stated that you had letters from the adjutant general and Major Willis, informing you that General Gaines had terminated the war, and that in consequence it was not necessary for you to proceed. Have you those letters with you?

Answer. I have not. I believe those letters are with my baggage, which is expected daily in Baltimore. The letter from the adjutant general did not state that the war was terminated, but that the expedition was unnecessary. The letter from Major Willis stated that the Indians were flogged, or something to that amount, and that, "thank God, the war was over."

Captain Thistle, a citizen of Louisiana, and witness on the part of General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* In what capacity did the witness serve in the war against the Seminole Indians, and between what dates did the witness serve in that war?

Answer. I commanded a company from Louisiana, called the Louisiana volunteers, Colonel Smith's regiment. We commenced raising on the 23d of January, and we were on our march the 3d of February. I think it was on the 4th I was introduced to General Gaines, on board the steamboat, on our way to Florida. I continued under the command of General Gaines until the 9th of March, when he turned his command over to General Clinch. I continued in the campaign in Florida until some time in May, when I embarked at Tampa bay on my return home.

Question by the Court. What knowledge have you of the campaigns in Florida? Be pleased to state, by way of narrative, what you saw, and what part you took in those campaigns?

Answer. We took up our line of march from Tampa bay to the Alafia river, and from thence to Fort King. Nothing particular happened on our march; we saw no enemy. We buried Major Dade's command on the 22d of February, and arrived at Fort King on the 23d. We were all destitute of provisions; some companies had been out of provisions three days before our arrival at Fort King. This was because we were in want of transportation from Tampa bay. We had been informed before we arrived at Tampa that there was plenty of transportation there. On our arrival at Fort King we found the fort destitute of provisions and ammunition, except a few barrels of sour corn-meal and a few barrels of rusty pork, which did not add much to the health of our half-starved men. General Gaines, at Fort King, sent a despatch to General Clinch, at Fort Drane, for provisions, and General Clinch arrived at Fort King with seven days' supply. I understood from General Clinch that these provisions were sent on for the use of General Scott's army, and that he (General Clinch) did not know of our being in the country until a few days previous. I understood also from General Clinch and from his aids, that every effort was making to get provisions from Picolata to Fort Drane, and that the roads were at the time almost impassable. We started from Fort King on the 26th of February, with seven days' rations; we had received no ammunition there. On the morning of the 27th we arrived on the bank of the Withlacoochee. The advance guard, as they were reconnoitring the bank for a crossing-place, were fired on by the enemy: one man was killed and several wounded. On the 28th, a detachment under Lieutenant Izard was sent down five miles below, at Camp Izard, for the same purpose. That detachment was also fired on, and Lieutenant Izard killed. On the 29th I was called on early in the morning by General Gaines's aid to take command of a detachment of 160 strong, (50 volunteers from the regulars, and 110 from the volunteers, part from my own and part from other companies.) I was charged by General Gaines to use a good deal of caution in getting on the river bank undiscovered. We were sent there for the purpose of watching the movement of the enemy, while we were erecting a block-house near the river bank. I had succeeded in getting my men well secured, (hidden,) when I heard a heavy fire in the rear, which I took to be an attack on the camp, and it proved to be such. After one or two volleys the enemy made their appearance on the opposite side of the river, in front of the men I had secreted. The fire was immediately opened by my men, and a very brisk fire from the enemy was returned: they numbered, I suppose, at that time, about 400 Indians. About half an hour after a recall was sounded, but the fire was continued so briskly that I did not think it prudent to withdraw my men from their cover. About half an hour after a second recall was sounded, when the enemy having withdrawn from the river bank, I returned to camp with my detachment, and there learned from Colonel Twiggs that the camp had been surrounded (on three sides) by the enemy, and that they had come to the conclusion that my party had been cut off, and was massacred. On my return to camp there were 250 to 300 Indians firing scattering shots into the camp from a considerable distance. General Gaines was wounded on that occasion. We were fired on also that evening and the next day, (1st of March.) It appeared to me that on the 1st of March there were about 1,200 Indians and negroes surrounding the camp. Some scattering shots were fired on the 2d of March. I think it was the

evening of the 2d or 3d that the negro Abraham hailed the camp, and said that they were tired of fighting and wished to make peace. He requested that the next day, being Sunday, we should do no work : he then withdrew, and afterwards hailed us a second time, and remarked that on Monday they would meet at 10 o'clock, and have a big talk and make peace. On Monday they met about 250 yards from the camp. Captain Hitchcock and Captain Barron went out and held a conversation with them; they inquired particularly as to our situation; whether we had provisions, and brandy, and tobacco; they said they could supply us with provisions in abundance; that we could fish on the river bank if we chose, and that they would fight no more if they were permitted to keep the opposite side of the Withlacoochee, making that river the boundary. Our provisions gave out about the 1st of March, and it was on the 2d we commenced killing our horses, and one dog, for subsistence. The men all appeared in good spirits, and willing to bear starvation if they could have the honor of conquering the Indians. On the 4th the Indians again met, and wished to hold a conference with us; but they were informed by General Gaines that he could not make a treaty unless they laid down their arms. He advised them to keep peaceable, to kill no more inhabitants, and to submit to the agents who would be sent on by the Government; that a large army was expected on every day, which would kill and destroy the whole of them if they did not submit. During the different parleys held with the enemy, they had always from about 250 to 400 of their people in the neighborhood. During the time we were in Camp Izard, we had no more than about twenty-three rounds of ammunition to a man. We had many wounded, in all about forty or forty-three. It was on the 5th or 6th, perhaps the 9th of March, while General Gaines, through his staff officers, was again holding a conversation with the Indians, that General Clinch's advanced guard came up and fired upon the enemy, who immediately withdrew. The Indians hailed us again that night about 10 o'clock; their object was for peace, as their conversation seemed to denote; they requested two days to enable them to go and see their governor, Micanopy, which would take that time to consult with him. During this time our men fished on the river bank without being molested. I was informed about this time, by many of the Florida volunteers, that our presence in the country had diverted the attention of the Indians from their families, and was no doubt the means of saving many from massacre, as well as their property from destruction. We remained at Camp Izard three or four days, and not hearing any thing further from the Indians, the command was turned over to General Clinch by General Gaines, and we took up our march for Fort Drane. I had a conversation with General Clinch about provisions at Fort Drane. He said he had a small supply there, and that General Scott was at Picolata sending on provisions as fast as possible, and that he himself was collecting all the transportation he could for the same purpose; and that what provisions had been furnished us had been drawn from supplies furnished for General Scott's army, which circumstance would keep General Scott's army back probably ten, fifteen, or twenty days longer, on account of the difficulty of transporting provisions. The main army from Camp Izard arrived within three miles of Fort Drane on the second day, about sundown, and it was ten o'clock before I got up with the rear guard. We received a small supply of provisions the next

day. About the 13th or 14th I made some inquiries of General Scott about provisions and ammunition. He informed me that he was doing all in his power to procure provisions ; but the roads were so bad, and he was so short of transportation, he could not get provisions on as fast as he wished ; that he had to detain his own army on account of our arrival, and of our using the supplies furnished for his own troops ; but that he would issue to us freely as long as he had a mouthful. I know of a provision wagon being six hours in endeavoring to get from Fort Drane to Camp Smith, a distance of three miles, and then the wagon was obliged to be left, and the load shifted to a lighter wagon.

The Court adjourned, to meet to-morrow at half-past 10 o'clock.

FREDERICK, DECEMBER 17, 1836.

The Court met, pursuant to adjournment. All present.

Lieutenant Colonel James Bankhead, of the 3d regiment of artillery, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* In what capacity did the witness serve in Florida, against the hostile Seminoles, say from about the middle of February till towards the end of May last ?

Answer. About the middle of February I was ordered by General Scott from Savannah to Picolata, on my way to take up the battalion of Georgia volunteers, at Darien, to muster them into service, and to take the command of the troops that might assemble at Picolata. I remained at Picolata in command until the 9th of March. I believe about that period, (perhaps that day,) I received an order from General Scott to proceed with expeditious haste with a body of troops, consisting of two companies of United States artillery, and several companies of mounted men, to Fort Drane, with the wagon-train of provisions, to give succor and relief to General Gaines—General Scott having about that time heard it rumored that General Gaines was in a very precarious situation, and destitute of provisions. I immediately, on that day, commenced the movement by Black creek, having understood that the route from thence was better than the route from Picolata, which was almost impracticable. Some short distance before we arrived at Fort Drane, I learned that General Gaines had been relieved by General Clinch, and had turned over the command of the troops to General Clinch. I served up to this period, in command of the troops, as chief commandant of artillery. On my arrival at Fort Drane, General Clinch assigned to me the command of all the troops encamped in the neighborhood of that post. I remained in that command until the army moved from Fort Drane, when I was assigned to the command of the left column of the right wing of the army, which command I continued to hold until the end of the campaign.

2. *Question by General Scott.* Were you accompanied in the movement from Picolata by General Scott, and to what point ?

Answer. I was accompanied by General Scott to some point a short distance north of the Santa Fe river, and General Scott, anxious about the rumor respecting General Gaines, moved on to Fort Drane, with a detachment of mounted men. Some four or five miles this side of Mica-

nopy, I received an order from General Scott, sent back to me, directing me to send the mounted men in the neighborhood to a plantation where there was corn, and to move slowly on with the artillery, as the object for the haste which I had been previously directed to make had been accomplished.

3. *Question by General Scott.* On what day did the movement from Picolata commence; on what rumor, and were not certain letters received some hours after the rumor, which confirmed that rumor?

Answer. I think on the 9th of March. I was ordered to make this movement on that day, in consequence of a rumor which had reached us by a steamboat from Jacksonville, that General Gaines was surrounded by the enemy, and in a starving condition. There were some letters received after this rumor by an express, confirming the rumor. General Scott manifested great anxiety and solicitude that the greatest expedition should be made by me in giving this relief to General Gaines.

4. *Question by General Scott.* Were you not fully, at the time, in the confidence of General Scott; and what did he state to you to be the object of the forced movement upon Fort Drane, and his purpose of taking from the latter place the wagons loaded with subsistence to the relief of Generals Gaines and Clinch?

Answer. I was at the time in the confidence of General Scott, and was living with him. I understood from him that the object of this forced movement upon Fort Drane was for the purpose of extending relief to General Gaines.

5. *Question by General Scott.* As chief of artillery, what were the expedients resorted to at Fort Drane, to have a sufficient number of rounds of ammunition fixed for the two six-pounders which accompanied the army from that fort?

Answer. We had little or no fixed ammunition at Fort Drane, nor had there been any at Picolata when we left there, except some for the howitzer, and we had no horses to convey that howitzer with us. I had to procure flannel shirts and gowns belonging to the officers and men, to make bags for the powder, and to cut up bars of lead as a substitute for grape-shot. This was the principal ammunition which we had for the artillery. General Scott offered his own flannel for this purpose.

6. *Question by General Scott.* From what you saw and knew of General Scott's plans, arrangements, and personal conduct, is the witness aware of his failing to do or to attempt all in his power, under the circumstances, to give success, if possible, to the campaign with which he was charged against the Seminole Indians?

Answer. I was made acquainted by General Scott with his plan of operations, and, in my judgment, I thought it the best that could have been devised; and I believe, but for unforeseen accidents which General Scott could not control, more likely than any other to ensure success. General Scott's zeal and activity were constant and unabating to the end of the campaign. General Scott failed in nothing, in my estimation, to give success to the campaign.

Question by the Court. What, in your opinion, were the causes that prevented the subjection of the Seminole enemy, in the campaign conducted by Major General Scott, in Florida, in 1836?

Answer. The first cause, in my opinion, was the lateness of the season in which operations could be commenced under General Scott; the delay

in receiving the necessary supplies for the army; and I think the most powerful cause which prevented the success of the campaign was the movement of General Gaines; that delayed the commencement of operations from early in March to the latter part of the month, as General Gaines had taken or consumed a large portion of the supplies (provisions) in depot at Fort Drane, the most difficult point of the Territory to which supplies could be conveyed, from its distance from water communication, and the almost impassable state of the roads between the St. John's river and that point. These causes delayed the commencement of operations; and the failure to receive fresh horses and refreshments for the army at Tampa bay, prevented more continued operations from the time we left Tampa bay. The limited term of service of the militia; the extreme heat and insalubrity of the climate in April, as was proved by its effects on the troops; the scarcity and impurity of the water throughout the country, and the general character of the country.

Question by the Court. What prevented the reception of the supplies that were expected at Tampa bay?

Answer. I heard, I think, Lieutenant Morris say that he had received a letter from his brother, who was, I think, sutler at Tampa bay, and then in New Orleans, that he had declined forwarding his stores in consequence of the information he had received that the war had been terminated by General Gaines. I learned also from several sources, particularly from Captain Shannon, that he had heard that the quartermaster at New Orleans had declined sending the horses for the same reason.

7. Question by General Scott. Did any conversation take place between the witness and General Gaines, on the subject of the termination of the war, and what was the substance of that conversation?

Answer. The day that General Gaines left Fort Drane for Tallahassee, I met him between Micanopy and Fort Drane, when he said to me, "You may go on, colonel, there is nothing to be done now; it is all finished;" understanding that the war was at an end.

Captain Thistle, again before the Court, was interrogated as follows:

2. Question by General Scott. The witness was in Camp Izard during the attacks made upon it by the enemy, at the end of February and the beginning of March last. Did the witness conceive that the war was terminated at that time and place?

Answer. In my opinion it was not. Having been among the Indians a good deal, and knowing their character, it was my opinion that they wished to lull us into an idea (finding our camp too strong to storm) that they wished for peace, for the purpose of getting a good opportunity to massacre the whole camp. It was also my opinion that they had spies out and had discovered the reinforcement of General Clinch; and that if they failed in their first object, their next was to get their women and children out of danger.

3. Question by General Scott. It has been said that the Louisiana regiment would not have proceeded beyond Pensacola, without being accompanied by Major General Gaines. What does the witness know of the dispositions of that regiment in this respect?

Answer. For my own part, when I was raising men for my company, I did not know there was such a man as General Gaines in the country.

Colonel Smith and Colonel Lawson, I understood, were to take the command. I speak only in reference to my own company, my own officers and men. When at Pensacola, I never heard any thing of the kind mentioned; nor did I ever hear there that General Gaines was about to leave us. When we got acquainted with General Gaines, the officers and men were well pleased with him.

4. *Question by General Scott.* Did your regiment, as far as you know, obey with equal cheerfulness every officer of superior rank, whether of the regulars or volunteers?

Answer. They did so. I never heard the least murmur, neither among the officers nor men, nor the first word of dispute. They were always ready to obey orders, both the regulars and volunteers, from all officers placed over them.

5. *Question by General Scott.* What sutler's stores did the witness find at Tampa bay; and what does the witness know of the sufferings among the officers and men, from the want of light clothing, and groceries generally.

Answer. We found nothing there in the way of sutler's stores, except a little whiskey, which sold for fifteen to twenty dollars a gallon; nor clothing of any description, not even a pair of shoes, was to be found in the place. I know that many of the men had to go barefoot in consequence. Some of the men, who, in New Orleans, were worth \$25,000, were so badly off for shoes that they had to tie them round their feet with strings in order to keep the soles and upper leathers together. I marched two days myself in my stocking-feet. I had the means about me to buy shoes if any had been for sale. I believe, also, the regulars suffered in a great degree for want of clothing. I have seen them badly off for want of shoes. I went to General Scott myself and told him that my own men were in want of shoes; that there were about twenty who were generally in want, some barefoot, and others nearly so. He told me there were no shoes to be had; that shoes and clothing had been expected, and also that horses had been expected, but that he had been disappointed in all.

Question by the Court. Why did not your men provide themselves with sufficient clothing for the campaign when they set out from New Orleans?

Answer. The men were all provided each with a new pair of shoes, and a new suit of clothes throughout, and they also took extra clothing with them. When we took up the line of march from Tampa bay, we had to leave our clothing, such as we could not carry on our persons, for want of transportation, which we buried; it was afterwards dug up by the Indians, and of course we lost it. My own clothing I sent back to New Orleans, expecting we should not return by Tampa bay, and so did a great many other officers and men. The palmetto cuts the clothing in such manner that it will not last in marching through that country more than four weeks. Shoes are destroyed in the same way by exposure to the sand, mud, and water.

6. *Question by General Scott.* Has the witness had any conversation with the officer (Captain Morrison) who was commissary at New Orleans during the past winter and spring, relative to subsistence which that officer ought to have sent to Tampa bay, and what was the reason given

by Captain Morrison for not having sent all the supplies required of him for Tampa?

Answer. I had a conversation with him after my return from Florida some time in May, about the 16th. I went to draw back-rations that were due to the men of my company, and he turned over a hogshead of bacon, and remarked that he had purchased this to send to Florida; that he had bread likewise, of which he turned over to me several barrels. On his saying that this was for Florida, I asked why it was not sent, and to the best of my knowledge he said there had been some delay on account of there being a report that the war was at an end. He further told me that he had been to a good deal of trouble in getting the bread baked, and he could not send previously to this as fast as he wished.

7. *Question by General Scott.* When Captain Morrison said that he had not sent all the bread and bacon purchased for the troops at Tampa, because he had heard that the war was at an end, where did he say that he supposed the war had been terminated?

Answer. I don't know that I asked the question, and I have no recollection that he made any reply to that effect.

8. *Question by General Scott.* What did the witness himself understand by what Captain Morrison said about the war *being at an end*?

Answer. I understood that it was from the report in Camp Izard. It was generally believed by the officers and men in our camp (Camp Izard) that the Indians would not fire another gun in the way of hostility. On my return, under the command of General Scott, from Fort Drane to the Withlacoochee, Adjutant Barron offered to bet a hundred dollars that the Indians would not fire another gun. My reply was, that I had not money to stake, but that I should not like to make money faster than by taking such bets.

9. *Question by General Scott.* On your return to the Withlacoochee under the command of General Scott, did you find the enemy subdued or ready to surrender, or did you find the reverse?

Answer. I found the reverse; ready to fire upon the rear guard the best opportunity that suited their convenience. Previous to this they fired upon our baggage-wagon, seven miles from Fort Drane; they killed a negro, wounded a horse, and carried away and destroyed the provision that was in the wagon.

Major General Scott here presented to the Court a paper, (document No. 65,) being a letter from General P. F. Smith, dated 25th February, as evidence that the Louisiana volunteers were under no pledge to General Gaines or to any other person, in proceeding to Florida.

The Court adjourned, to meet on Monday morning at half-past ten o'clock.

MONDAY, DECEMBER 19, 1836.

The Court met, pursuant to adjournment. All present.

The Judge Advocate read to the Court the letter (document No. 144) addressed by the honorable Joseph M. White, delegate in Congress from Florida, to the President of the Court; which the Court determined should accompany the record.

The Court was occupied the remainder of this day in taking testimony having reference to the Creek campaign.

The Court adjourned to meet to-morrow at half-past ten o'clock.

DECEMBER 20, 1836.

The Court met, pursuant to adjournment. All present.

Captain G. A. McCall, of the 4th infantry, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

Question by General Scott. In the Army and Navy Chronicle, printed at Washington city, dated Thursday, August 11, 1836, and bearing the number 84, there is a letter with your signature. Was the original of that letter written by you?

Answer. It was.

[The paper referred to in this question accompanies these proceedings, and is numbered 150.]

Captain E. A. Hitchcock, of the 1st infantry, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* In the Army and Navy Chronicle, printed at the city of Washington, "whole No. 67," and under date April 14, 1836, there is a letter addressed to the "honorable Francis S. Lyon, M. C.," and signed "E. A. Hitchcock, captain U. S. army." Was the original of that letter written by the witness?

Answer. It was.

2. *Question by General Scott.* Was the "staff officer" therein mentioned in that letter the witness now before the Court?

Answer. He was.

The Court adjourned, to meet to-morrow morning at half-past ten o'clock.

DECEMBER 21, 1836.

The Court met, pursuant to adjournment. All present.

Captain G. S. Drane, of the 2d artillery, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* Has the witness any recollection of a conversation with Major Read, then in command of a battalion of Floridians, relative to a detachment it was said had been sent by Major McLemore from the Suwannee to the Withlacoochee river, and what was the substance of that conversation?

Answer. I distinctly recollect a conversation I had with Major Read at Tampa bay, I think two days before the right wing of the army marched from that place. We were passing from Fort Brooke down to the encampment of the right wing of the army, where Major Read wished to have an interview with General Clinch, to solicit that his battalion might be attached to the right wing of the army, that he might the sooner cross to the Withlacoochee to the relief of the Floridians. In the course of that conversation, I informed him myself that there was a detachment of Floridians at the Withlacoochee with provisions; that I believed that Major McLemore was there with them, but was not certain. He said he was sure they could take care of themselves until the right wing of

the army passed on that route again, and that was one great reason why he wished to join the right wing of the army. He informed me that he had heard at Fort Brooke that morning that a portion of the right wing of the army was to go by boats to the mouth of the Withlacoochee, and pass up the mouth of that river. His remark was, "I should like very much to be placed on that command." I laughingly told him that I thought it would suit him better than me, as I did not consider it a very desirable duty. He remarked that he was content himself, and that he should like to go. He expressed some uneasiness about the frontier settlements. I informed him there was no danger; that the Florida volunteers, who had been assembled at Fort Drane, had been sent to their homes. I don't recollect that I had any other particular conversation with him respecting that matter; but it was generally understood that that duty had been assigned to him.

2. *Question by General Scott.* How or in what manner did the witness learn that it was likely that Major McLemore had sent a detachment from the Suwannee to the Withlacoochee?

Answer. I heard it at Fort Drane, and I think General Clinch stated to me that Major McLemore had volunteered his services to go to the mouth of the Withlacoochee in boats with subsistence and forage. On the march it was frequently spoken of, and frequently mentioned also at Tampa bay; and I recollect Major Dill mentioning the subject to me before I left Fort Drane, that McLemore had gone.

The Court was occupied the remainder of this day with the subject of the Creek campaign.

The Court adjourned, to meet to-morrow at half-past ten o'clock.

DECEMBER 22, 1836.

The Court met, pursuant to adjournment. All present.

Joseph L. Locke, Esq., late an officer of the army, and a witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* In what place and in what capacity was the witness on duty in the months of February, March, and April?

Answer. I was in those months, from the 7th of February to the end of April, stationed at Picolata, as assistant commissary of subsistence.

2. *Question by General Scott.* About what period did the first bacon sent by the Subsistence department arrive at Picolata?

Answer. My memory does not serve me accurately on that subject. It was somewhere between the 15th and 25th of April. It was not certainly before the 15th.

3. *Question by General Scott.* Had the witness sufficient hard bread to supply the columns commanded by Generals Clinch and Eustis, respectively, before the march of the former from Fort Drane and the march of the latter from Volusia?

Answer. By referring to my monthly returns, I find that I invoiced to the commissaries of those columns of the army in the interior, both hard bread and flour; my instructions from General Scott being to furnish as much hard bread as could be procured. I was also instructed not to sup-

ply the troops at Picolata with hard bread, but to reserve it for the marching army. I cannot state the ratio between hard bread and flour sent to Volusia. That sent to Lieutenant Dancey, at Fort Drane, during February, was in the ratio of 27 barrels of flour to 73 of hard bread; and in March, 49 barrels of flour to 112 of hard bread, to the same officer. My impression is, that the bread-stuff sent to the Volusia consisted principally of hard bread.

4. *Question by General Scott.* In the weight to be transported, what is the difference between pork and bacon?

Answer. It is about 51 per cent. in favor of bacon; that is, a wagon which is capable of carrying 2,000 pounds of nett pork, would carry 3,000 pounds, or a little more, of bacon; the difference is in the wood and brine.

General Duncan L. Clinch, late of the army, and a witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* Was the delay, after the arrival of General Scott at Fort Drane, more than the witness deemed necessary to enable the troops, which had marched with General Gaines from Tampa, to recruit their health and strength, and to enable the last train of wagons loaded with subsistence to arrive from Garey's ferry?

Answer. It was not.

2. *Question by General Scott.* In reference to the term of service generally of the volunteers of your column, and the temperature of the weather, could that column have kept the field with any prospect of advantage later than about the 25th of April?

Answer. In reply to the first part of this question, I state that the term of service of the most part of the volunteers expired on or about that time. As respects the temperature of the weather, I believe, with experienced and acclimated troops, a campaign might be carried on during the month of May, without any great risk to their health, but no longer. The state the column was in at the time we reached Fort Drane, nothing more could have been done.

3. *Question by General Scott.* What was the general quality of the water, other than river-water, drunk by your men and horses on your return march from Tampa towards the north of Florida?

Answer. It was generally excessively bad, taken from stagnant pools and ponds, and frequently so thick with mud and scum that it was drunk with difficulty. Taken from ponds or pools, it was of course in a warm state, and by no means palatable, and often very scarce. In fact, both men and horses suffered very much for the want of even such water as was generally met with. There were animalculæ occasionally in this water. Most of the water in those ponds have more or less of animalculæ.

4. *Question by General Scott.* Were there many sick in the witness's column, both in his operations south and those returning north, and does the witness attribute that sickness to the warmth of the weather, and generally to the badness of the water.

Answer. There was a good deal of sickness in the column I commanded, in both going to and returning from Tampa. It was attributable, in

my opinion, to several causes : excessive fatigue and exposure in scouring through the swamps and hammocks, opening and bridging the road, and in some measure to the bad state of the water, and the heat of the climate.

5. Question by General Scott. Was the column under the command of the witness, or any detachment from that column, on any occasion beaten or repulsed by the enemy; or was the enemy, as often as met, repulsed and driven?

Answer. The column was never beaten or repulsed by the enemy. It was always successful whenever it met the enemy. The troops always evinced the greatest gallantry, both regulars and volunteers, in pursuing the enemy through hammocks that were almost impenetrable by man.

6. Question by General Scott. The witness's column lay at or near Tampa — days. What was the principal object of that halt; and was it more than sufficient to recruit the health and strength of men and horses?

Answer. The column remained at Tampa several days; but not longer than was absolutely necessary to recruit the men and horses.

7. Question by General Scott. Whilst he was within your observation, did you observe any deficiency in the zeal, activity, or judgment of General Scott, in the prosecution of the campaign against the enemy?

Answer. I did not. He was always active, and sometimes, I thought, rather over-zealous, or restless in pushing on the operations of the campaign.

Question by the Court. What were the causes, in your opinion, that prevented the subjection of the hostile Seminoles in the campaign conducted by Major General Scott in Florida, in 1836?

Answer. In reply to that question I am compelled to state, that I am of the opinion that the failures of, and the disasters attending the operations in Florida, were mainly to be attributed to the want of energy and military forecast in the late head of the War Department; and in failing to order a larger force, and a greater quantity of military supplies, &c. into that country in 1835, and early in the year 1836. In illustration of this opinion, and to show that the late Secretary of War was not entirely uninformed as to the state of things in Florida, I beg leave to submit to the Court extracts from several letters addressed to the Adjutant General of the army by the officer then commanding in Florida. When, at last, the late honorable Secretary awoke from his dreams of political preferment, and turned his attention to bleeding and suffering Florida, it was too late, owing to the peculiar nature of the country, to effect a great deal before the hot and sickly months set in: hence, in a great measure, may be attributed the failure, as it has been termed, of the campaign conducted by Major General Scott in Florida.

[The extracts alluded to in this answer were here read to the Court, and accompany these proceedings, document No. 151.]

Question by the Court. What did you estimate the force of the Seminoles, including negroes? State the number of each.

Answer. It is very difficult to come at any thing like the number they have in the country. I never believed, however, that they could have concentrated more than from 1,200 to 1,500, including negroes.

Question by the Court. What is the character of the Seminole Indians as warriors?

Answer. I think they have proved, whenever they have had any ad-

vantage, that they are good soldiers. They never fight without decided advantage.

Question by the Court. How and by what means were they equipped and furnished with arms and ammunition?

Answer. I am not able to answer that question. There were a number of arms furnished them, I believe, by Government, and they were permitted to purchase whenever they pleased. Their arms were generally kept in good order by the Government agents, as far as came under my observation.

Question by the Court. Do you think that hard bread and bacon were absolutely necessary for the subsistence of the troops in prosecuting the campaign in Florida?

Answer. It was desirable to have it; but I believe the army could have got along with good fat pork and good flour, with a plenty of good transportation.

8. *Question by General Scott.* In a former answer made by the witness to a question put by the Court, the witness spoke of *disasters*. Is the witness aware of any *disaster* that befell our arms during the operations conducted by the witness or General Scott?

Answer. I spoke generally of the disasters that had befallen the country. I know of no disaster which befell the army commanded by General Scott, or by myself, except the melancholy one which resulted in the massacre of the command under Major Dade.

9. *Question by General Scott.* Do not Southern troops very generally prefer bacon to pork, and with or without vegetables?

Answer. I believe they generally prefer it.

10. *Question by General Scott.* Is it not extremely difficult for troops in a wild country to execute full marches and bake their own bread?

Answer. It is very difficult for troops to make full marches in Florida with or without baking their bread. I don't think hard bread absolutely necessary to carry on a campaign, although it is desirable to have it.

11. *Question by General Scott.* Cannot troops execute full marches with more sleep and less fatigue to themselves with hard bread, than with flour to be baked into bread?

Answer. Yes.

The Court adjourned, to meet to-morrow at half-past 10.

DECEMBER 23, 1836.

The Court met, pursuant to adjournment. All present.

Testimony of General Clinch resumed.

Question by the Court. What influence had the movement of General Gaines against the Seminole Indians in 1836, on the results of the campaign conducted by Major General Scott against that enemy in Florida in the same year?

Answer. I am of the opinion that the movement of Major General Gaines's command through Florida did not materially affect the operations of Major General Scott. General Gaines's command did consume several thousand rations; but the material of that command was of the best kind, and would have been of advantage to the commander of any army.

my opinion, to several causes : excessive fatigue and exposure in scouring through the swamps and hammocks, opening and bridging the road, and in some measure to the bad state of the water, and the heat of the climate.

5. Question by General Scott. Was the column under the command of the witness, or any detachment from that column, on any occasion beaten or repulsed by the enemy; or was the enemy, as often as met, repulsed and driven?

Answer. The column was never beaten or repulsed by the enemy. It was always successful whenever it met the enemy. The troops always evinced the greatest gallantry, both regulars and volunteers, in pursuing the enemy through hammocks that were almost impenetrable by man.

6. Question by General Scott. The witness's column lay at or near Tampa — days. What was the principal object of that halt; and was it more than sufficient to recruit the health and strength of men and horses?

Answer. The column remained at Tampa several days; but not longer than was absolutely necessary to recruit the men and horses.

7. Question by General Scott. Whilst he was within your observation, did you observe any deficiency in the zeal, activity, or judgment of General Scott, in the prosecution of the campaign against the enemy?

Answer. I did not. He was always active, and sometimes, I thought, rather over-zealous, or restless in pushing on the operations of the campaign.

Question by the Court. What were the causes, in your opinion, that prevented the subjection of the hostile Seminoles in the campaign conducted by Major General Scott in Florida, in 1836?

Answer. In reply to that question I am compelled to state, that I am of the opinion that the failures of, and the disasters attending the operations in Florida, were mainly to be attributed to the want of energy and military forecast in the late head of the War Department; and in failing to order a larger force, and a greater quantity of military supplies, &c. into that country in 1835, and early in the year 1836. In illustration of this opinion, and to show that the late Secretary of War was not entirely uninformed as to the state of things in Florida, I beg leave to submit to the Court extracts from several letters addressed to the Adjutant General of the army by the officer then commanding in Florida. When, at last, the late honorable Secretary awoke from his dreams of political preferment, and turned his attention to bleeding and suffering Florida, it was too late, owing to the peculiar nature of the country, to effect a great deal before the hot and sickly months set in: hence, in a great measure, may be attributed the failure, as it has been termed, of the campaign conducted by Major General Scott in Florida.

[The extracts alluded to in this answer were here read to the Court, and accompany these proceedings, document No. 151.]

Question by the Court. What did you estimate the force of the Seminoles, including negroes? State the number of each.

Answer. It is very difficult to come at any thing like the number they have in the country. I never believed, however, that they could have concentrated more than from 1,200 to 1,500, including negroes.

Question by the Court. What is the character of the Seminole Indians as warriors?

Answer. I think they have proved, whenever they have had any ad-

vantage, that they are good soldiers. They never fight without decided advantage.

Question by the Court. How and by what means were they equipped and furnished with arms and ammunition?

Answer. I am not able to answer that question. There were a number of arms furnished them, I believe, by Government, and they were permitted to purchase whenever they pleased. Their arms were generally kept in good order by the Government agents, as far as came under my observation.

Question by the Court. Do you think that hard bread and bacon were absolutely necessary for the subsistence of the troops in prosecuting the campaign in Florida?

Answer. It was desirable to have it; but I believe the army could have got along with good fat pork and good flour, with a plenty of good transportation.

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12. *Question by General Scott.* The subsistence drawn from the depot at Fort Drane by General Gaines's troops, was not the train obliged to replace from the St. John's; and did not this extra labor contribute much to break down and to weaken that train?

Answer. The provisions furnished General Gaines were drawn from the St. John's, and the train must have been more or less affected in performing the route.

13. *Question by General Scott.* By the addition of the troops of General Gaines to your column, was not the right wing rendered somewhat stronger than had been intended, and stronger than was found to be necessary?

Answer. I thought myself that the addition of those troops strengthened the column I commanded very much; but I believe the troops composing the right wing, independent of that number, could have performed the route they did. It was rendered stronger than was the original intention of General Scott. I, myself, think that they were an acquisition, as they were experienced regulars, and gallant and efficient volunteers from Louisiana.

Owing to the absence of witnesses, (several of the most important not being expected to reach here before the early part of January,) the Court adjourned, to meet again at this place on the 4th of January next, at half-past one o'clock.

JANUARY 4, 1837.

The Court met, pursuant to adjournment.

Owing to the absence of Brigadier General Atkinson, the Court adjourned, to meet to-morrow at 1 o'clock.

JANUARY 5, 1837.

The Court met, pursuant to adjournment. All present.

The witnesses expected not having yet arrived, the Court adjourned, to meet to-morrow at 11 o'clock, A. M.

JANUARY 6, 1837.

The Court met, pursuant to adjournment. All present.

The Judge Advocate presented to the Court the following deposition of General Clinch, taken during the recess of the Court:

1. *Question by General Scott.* Did not General Clinch visit Major General Gaines at Fort King, about the 24th of February, 1836, soon after the arrival of the latter at that place from Tampa bay?

Answer. Yes.

2. *Question by General Scott.* Did not the witness, at that interview, communicate to Major General Gaines the outline of Major General Scott's impending plan of operations against the hostile Seminole Indians, together with the probable force that the said Scott expected to employ in his operations; and was not that outline substantially the same as that which the said Scott subsequently pursued against the said Indians?

Answer. During the short stay I made at Fort King, I had various conversations with General Gaines on the subject of our Indian difficulties, and believe I showed him a letter from General Scott containing the outline of his impending plan of operations against the Seminole Indians, as well as the probable force he expected to have in the field. There was no material change in the original plan, as well as I recollect.

The Judge Advocate also read to the Court the following deposition of Major Leon Dyer, of Louisiana:

1. *Question by General Scott.* In what capacity did you serve in the Louisiana volunteers, in the Florida campaign?

Answer. I served as private, in the first instance; afterwards was promoted to be regimental quartermaster and assistant commissary, and also went out on several occasions as aid-de-camp to General Smith.

2. *Question by General Scott.* What did you hear of an unwillingness among the Louisiana volunteers to serve, except under the command of General Gaines, either at Pensacola or at any other place on the passage between New Orleans and Tampa bay?

Answer. I never heard of any unwillingness on their part to serve under the command of any officer whatever. I never heard of any pledge given by any of the Louisiana volunteers to serve under the command of General Gaines.

Sworn to before the Judge Advocate.

[Major General Gaines here presented himself before the Court, and addressed the Court to the following effect:

The undersigned, having been notified by the Department of War that his protest, bearing date the 29th of October, 1836, objecting to Major General Macomb as President or member of the Court, had not been complied with, and being convinced that the President of the United States possesses the only power to change the organization of this Court, the undersigned has now the honor to notify the Court that he attends its sessions for the purposes prescribed in the order of the Department of War; and he claims the right, pursuant to the 91st article of war, to cross-examine and interrogate the witnesses, and of examining the record of the Court, with a view to ascertain what measures have been adopted by the Court, in order to enable him to prepare his list of witnesses, and arrange his vindication. Respectfully,

EDMUND P. GAINES,
Major General by brevet.

The Court was cleared, and determined that Major General Gaines cannot take any part in the matter now under consideration; that when the subjects, referring especially to his campaign in Florida, shall come before the Court, he will be at liberty to examine witnesses and documents, and even the testimony which has been taken in the present investigation—the Court considering the two campaigns under Major General Gaines and Major General Scott separate and distinct subjects of investigation.]

The Court being resumed, General Scott presented to the Court, in evidence, certain papers which will be found accompanying those Proceedings.

Lieutenant Gouverneur Morris, of the 4th regiment of infantry, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* Where was the witness stationed in March and April last, and in what capacity ?

Answer. At Tampa bay, as commissary of that depot.

2. *Question by General Scott.* What amount of hard bread and bacon was received at Tampa bay from the commissary or quartermaster at New Orleans for the use of the army in March and April, up to General Scott's departure for Tampa with the troops, April 17th ?

Answer. I made a return to General Scott at the time, which shows the amount received and issued from the 10th of February to the 8th of April, 1836. I submit the return as the best evidence on the subject. It shows the amount of hard bread on hand on the 8th of April to be about 12,720 pounds; and of bacon, 21,600 pounds. After this return was made out on the 8th of April, and, I think, after General Scott left Tampa bay, there was received, within the month of April, about 15,000 pounds more of hard bread.

[The return alluded to in this answer will be found among the papers accompanying these Proceedings. See document No. 100.]

3. *Question by General Scott.* Was the issue of hard bread and bacon at Tampa bay confined to troops about to march, and by whose order ?

Answer. Yes, it was, and by General Scott's order.

4. *Question by General Scott.* Were new ovens commenced at Tampa soon after General Scott's arrival; by whose order; and were they completed much before the departure of the troops with him ?

Answer. Yes, they were, and by General Scott's order. They were only completed two or three days before his departure. Colonel Lindsay, commanding the centre column, was directed to cause them to be erected. There was a difficulty among the volunteers who were at work upon the ovens, between them and the commanding officer of the garrison at Tampa bay. After that difficulty, I believe the volunteers did not continue on the work, and it was finished by the regular troops.

5. *Question by General Scott.* How much bread in a day could the old oven supply by ordinary working ?

Answer. Of hard bread, I suppose it might make up a barrel of flour, about 300 pounds. It would make more of soft bread, as it would not take so long to dry.

6. *Question by General Scott.* What sutlers' stores were on hand when General Scott arrived at Tampa bay with the troops ?

Answer. There were scarcely any : a very limited supply.

7. *Question by General Scott.* About what time did the sutler leave Tampa for New Orleans, and for what purpose ?

Answer. On or about the 3d of August, to purchase a supply of sutler's stores.

8. *Question by General Scott.* Did the sutler return with or send a fresh supply of goods in March or April, and, if not, what did the witness understand was the reason ?

Answer. He did not send the supply of stores. I received a letter from Mr. L. Morris, acting sutler, on the subject, which letter, I have reason to believe, has been destroyed among other papers which belonged

to me. This letter enclosed a paragraph from one of the New Orleans papers. I don't recollect exactly the words of the paragraph; its purport however was, that "the war in Florida was ended," which deterred the sutler from sending the supplies.

The Court adjourned, to meet to-morrow morning at 11 o'clock.

JANUARY 7, 1837.

The Court met, pursuant to adjournment. All present.

Owing to the indisposition of Major General Scott, and the absence of witnesses, the Court adjourned to meet on Monday morning, the 9th instant, at 12 o'clock.

JANUARY 9, 1837.

The Court met, pursuant to adjournment. All present.

[The Judge Advocate presented to the Court a communication from Major General Gaines, dated the 7th January, (document B,) whereupon the Court was cleared, and directed the Judge Advocate to furnish Major General Gaines with a copy of the decision of the Court made on the 6th instant, in answer to his application of that day to become a party in the case now under investigation, and to inform the general that that decision will not be departed from. All which was accordingly done.]

Owing to the indisposition of Major General Scott, and his request that his case might be laid over till Monday next, to enable him to make his final address to the Court, his case was accordingly laid over to that day.

MONDAY, JANUARY 16, 1837.

The Court met, pursuant to adjournment. All present.

The Judge Advocate presented to the Court a letter from Major J. Clark to the Quartermaster General, dated August 16, 1836, which, being received as evidence, was placed among the documents, and is numbered 152.

Captain A. Van Buren, of the 1st regiment of dragoons, a witness, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* What does the witness recollect as to the time of arrival of the first train of wagons at Picolata (opposite to) from Fort Drane, after General Scott reached Picolata?

Answer. The train of wagons from Fort Drane arrived on the west side of the river (opposite to Picolata) about the 1st or 2d of March.

2. *Question by General Scott.* Who was charged with the loading of that train; what exertions were made by that officer to get over some wagons and horses to add to that train, and to get over subsistence and other stores for loading the wagons?

Answer. The officer charged with the loading of that train was captain and assistant quartermaster Shannon. His exertions were unremitting in passing the subsistence and other stores across the river, as well as in passing over some wagons and horses to add to the train.

3. *Question by General Scott.* What does the witness recollect of the state of the weather, and the difficulty of passing the St. John's, at Picolata, about the end of February and the first eight or nine days in March?

Answer. There was an unusually severe storm at about that time ; so severe as to render it impossible to pass the subsistence across the St. John's in the flats prepared for that purpose. One of these flats, loaded with subsistence, was sunk in attempting to get across. A small steamboat, the "Essayons," was then used for the purpose ; but considerable delay arose from the fact of the boat not being able to get near to the opposite shore. A battalion of artillery, under Major Gates, which arrived at Picolata about that time, was seven or eight days in passing from Savannah to that place, in consequence of the severity of the weather, as I was informed by Major Gates himself.

4. *Question by General Scott.* When did that train, loaded for Fort Drane, leave the St. John's, and what did the witness understand General Scott's motive to be in marching with a small detachment on the 9th of March, in respect to that train, and the joint forces of Generals Gaines and Clinch, on the Withlacoochee ?

Answer. The train left the point opposite Picolata about the 6th of March. The motive of General Scott, as I understood it from what he said, was to reinforce or rescue the forces of Generals Gaines and Clinch on the Withlacoochee. The subsistence sent by the train was intended for those troops and the detachment which marched.

Colonel De Peyster again called.

Question by General Scott. Did the witness happen to be at Picolata once or oftener pending the storms about the end of February and the beginning of March, and what were the difficulties of passing the river at that time in boats and scows ?

Answer. I was there twice during the stormy weather. The river there is about two miles wide. There is a long stretch of the river which enables the northeast winds to have a full sweep, and, consequently, raise a very heavy swell. I crossed the river in a very fine boat, I think belonging to the cutter ; was coxswain of her myself in crossing, and had a great deal of difficulty in preventing her shipping the sea. I saw a flat, or scow, which had been towed there by a steamboat, empty, and sunk in towing, and it was, in my opinion, impossible for a loaded flat to cross the river at that time with any chance of safety, owing to the storm. The storm continued six or seven days.

Major General Scott represented to the Court that he would not be prepared with his final address until Friday, the 20th instant. Whereupon his case was laid over to that day.

FRIDAY, JANUARY 20, 1837.

The Court met, pursuant to adjournment. All present.

The following deposition from Colonel Gadsden was here presented to the Court by the Judge Advocate :

1. *Question by General Scott.* In what capacity did you serve in Florida with Major General Scott, say between the 14th of March and the end of April, 1836 ?

Answer. I held the commission of Quartermaster General of Florida, but within the periods named was attached to General Scott as chief of his staff.

2. *Question by General Scott.* Were you not in that period fully in the official confidence of the said Scott, and was he not almost constantly in your view, or within speaking distance?

Answer. I answer in the affirmative.

3. *Question by General Scott.* As far as known to you, and in reference to the number and description of his forces—their respective terms of service—the season of the year—the character of the country—and the means of subsistence and transportation provided—did the said Scott fail, in any particular, to adopt the best plans and movements, according to the information possessed at headquarters, or fail in zeal and diligence to bring the war to a successful conclusion?

Answer. General Scott labored under many and complicated embarrassments in maturing the plans of his campaign, growing out of an *insufficiency of transportation*; the *want of supplies* adapted to Indian warfare, (having received pork and flour, instead of bacon and hard bread;) the lateness of the season, it being late in March before he could commence operations; the limited period (three months) for which the volunteers and militia had to serve; and the uncommon prevalence of debility and sickness among the troops, particularly in the commands under Eustis and Lindsay. The measles made their appearance in camp, and from one-fourth to one-half of the effective force of the South Carolina, Alabama, and Florida requisitions, were, at an early period, rendered unfit for active service. At the bay of Tampa, after the three divisions of the army met there, the spectacle was more that of a camp of hospitals, than of an assemblage of troops preparing for the active operations which were necessary to circumvent and subdue a vigilant and active savage foe. General Scott was active, zealous, and anxious; failing in no degree to adopt and execute those plans which circumstances would permit, and his own judgment approve. Trammelled in many instances by insufficiency of resources, he was compelled to abandon operations which otherwise would have been executed, and might have eventuated more favorably than his general operations. I answer, therefore, unhesitatingly, that General Scott did not fail, to my knowledge, in adopting and prosecuting the plans which were generally deemed most judicious, and which, if executed by all parts of the army, might have eventuated very differently. But they were not executed. Neither Eustis nor Lindsay's command ever came to the point ordered; and as the right wing, with which Scott was, personally, performed its assigned part in crossing the Withlacoochee, and in *driving* between the river and the lake, the failure of the other two, in not being in position on the east of the Withlacoochee, and in the forks, prevented that thorough exploration of the swamps and strong holds of that singular river, which was necessary, to find the enemy, *surround*, and *conquer* him, which were the objects of the campaign. I believed General Scott's plans generally good: I differed with him in some of the details; better calculated, in my opinion, to secure the objects contemplated.

4. *Question by General Scott.* Should his answer to either of those points of inquiry be, on its face, unfavorable to the said Scott, will the witness have the goodness to give the grounds of his opinion, in order that

it may be explained and reconciled with the testimony of other witnesses in the case?

Answer. I was in favor of more dispersion of the troops; viewing the war as an Indian, or wild-beast hunt, in which the chances of ferreting him out, surrounding, overtaking, capturing, or destroying him, would be multiplied in proportion to the number of parties we could set in motion. In these views, however, I must say, in justice to General Scott, that I was not sustained by either him or others, and that the opinion generally prevailed that it would be as unsafe as it was unmilitary, to disperse and expose our army to be beat in detail. As I have been asked for my opinion and reasons, I have given them: subsequent operations and events have confirmed, in my judgment, the correctness of them; but they do not detract from operations which have been so generally sustained by others, and particularly by the conduct of those who have followed in succession, and who have been equally as unfortunate, from moving in masses. We must meet the enemy as they meet us, disperse when they do, and concentrate as quick.

5. *Question by General Scott.* By whom and under what circumstances was the letter written to Major McLemore, permitting or directing him to send a detachment of Florida militia, by water, with subsistence up the Withlacoochee river?

Answer. The letter to Major McLemore was written by me. He sought the service, and my letter was in reply to a friendly one from him. As I have previously transmitted a copy of the letter to the Court, let the document speak for itself. I assume the responsibility.

6. *Question by General Scott.* Was any copy of that letter entered on the record-books at headquarters?

Answer. I answer in the negative.

7. *Question by General Scott.* What limitations as to the time of arrival on the Withlacoochee, and the length of stay there, did that letter to Major McLemore impose? If the witness kept any copy of the letter, or has since obtained the original, he will please annex it to the answer under this interrogatory.

Answer. I refer to the letter, a copy of which is in possession of the Recorder.

8. *Question by General Scott.* Does the witness recollect any conversation between him and the said Scott, or with General Clinch, about the time they crossed the Withlacoochee, or at Tampa bay, respecting the possible or probable execution of Major McLemore's proposition to send supplies up that river, and the probable length of stay of the detachment which might accompany these supplies?

Answer. The witness recollects a conversation held at the bay of Tampa between General Scott and General Clinch. It was in relation to orders issued to the latter, directing him to send the fourth regiment of infantry, and some other troops from his wing, to penetrate the Withlacoochee as far as practicable by water; General Clinch meeting them with his main force at some designated point on his return march by land. General Clinch seemed not to think, by his remarks, the operation either necessary or practicable; and to sustain the latter he introduced a witness, a soldier who had ascended the Withlacoochee, and who represented the ascent with troops by water *exceedingly hazardous*, if not *impracticable*, unless covered and protected by troops on land. Gene-

ral Scott expressed some anxiety to have the operation executed, lest McLemore should be on the river; but Clinch spoke very positively that that must be impossible; that he was convinced McLemore had not attempted the expedition, and that if he had he must have failed, and returned to the Suwannee: that he (Clinch) had every confidence in the information of his witness, (the soldier above adverted to,) and was satisfied the river Withlacoochee could not be penetrated if an enemy opposed. By reference to me in the course of the conversation, I could only state what were the orders to McLemore: "that he must not come unless he could reach the river by the 29th of March; must be very prudent in attempting to ascend it; hazard nothing, and by no means to remain on the river after the 3d of April; but to return to the Suwannee." It appears McLemore did not reach the Withlacoochee until the 2d or 3d of April: persisted in ascending, and on his own gallant responsibility established the block-house, and resolved to maintain it. The result of this conversation was an abandonment of the enterprise contemplated by a part of General Clinch's command, and a subsequent order to Major Read, which was drawn up with great prudence and caution, in consequence of the information given by General Clinch and his witness.

9. *Question by General Scott.* What were the impressions expressed in those conversations by the witness, as to the execution of that enterprise, and the length of time that the detachment, if it arrived at all, would remain on the Withlacoochee?

Answer. There was no doubt expressed but that McLemore had not penetrated the Withlacoochee, and that if he had within the time limited, in obedience to his instructions, he must have returned on the day ordered. Subsequent facts show that he did return with a part of his command to the Suwannee, and could have brought back the whole of his force, had not a part of them preferred remaining and braving the enemy. They voluntarily sought the hazard.

10. *Question by General Scott.* By whom were the instructions to Major Read, the commander of the expedition by water from Tampa bay to the Withlacoochee, drawn up, and did the said Scott fail to provide every thing in his power to give success to that expedition?

Answer. The order was drawn up by me; and I am not aware that General Scott restricted or withheld any of the means necessary to the success of the expedition. Major Read was directed to make the necessary requisitions on the quartermaster at the bay of Tampa; and I have some indistinct recollection of hearing (for I was not present at the conversation) of his (Major Read's) desiring a howitzer, or a piece of artillery, which, it was said, General Scott did not think essential: however, I do not know that the piece of ordnance required was denied or not. I know that the quartermaster was very much engaged for some time in building boats adapted to the ascent of the river, so that there should be no failure in the requisite transportation. I do not know whether they were taken or not.

11. *Question by General Scott.* According to the best intelligence possessed at headquarters at the time, and in reference to the means provided, was there room for a reasonable doubt that Major Read's expedition ought to succeed?

Answer. There was not a doubt entertained at headquarters that the nature of the service was distinctly understood, and that it was assigned

to an officer and troops who would execute it. Indeed, it was a confidence reposed by the general in Major Read that induced him to assign to him so responsible a duty. The general was aware of the difficulties and hazards of the enterprise; and while it was committed to an officer who had been highly recommended by the superiors with whom he had served, it was deemed necessary (after the conversation held with Clinch, previously adverted to in reply to question 9) to draw up the order under the precautions which characterize it. The order was, however, discretionary; Major Read to be the judge, on his arrival at the mouth of the Withlacoochee, on the hazard or not of his ascending it. The order, however, speaks for itself; and I have only deemed it necessary, under the facts detailed, to advert to the causes of its general prudent and cautious character.

The testimony having here closed, Major General Scott made the *Address* which accompanies these proceedings; after which, the Court adjourned this case to a future day.

JANUARY 30, 1837.

The Court met, pursuant to adjournment. All present.

The Court proceeded to pronounce its Opinion in the foregoing case, as follows:

The Court, after a careful review of the great mass of testimony taken in the foregoing investigation, finds that Major General Scott was amply clothed with authority to create the means of prosecuting the Seminole war to a successful issue; but is of opinion that, at the time he was invested with the command, the season was too far advanced for him to collect, appoint, and put in motion his forces, till a day too late to compass the object. It appears that, after using great diligence and energy, he was not in a condition to take the field and enter the enemy's strong-holds before the 28th of March, and then without sufficient means for transporting the necessary supplies to enable him to remain there long enough to seek out the scattered forces of the enemy.

The Court, therefore, ascribe the failure of the campaign to the want of time to operate; the insalubrity of the climate after the middle of April; the impervious swamps and hammocks that abound in the country occupied by the enemy, affording him cover and retreat at every step; an absence of all knowledge by the general, or any part of his forces, of the topography of the country, together with the difficulty of obtaining, in time, the means of transporting supplies for the army.

The Court is further of opinion, from the testimony of many officers of rank and intelligence who served in the campaign, that Major General Scott was zealous and indefatigable in the discharge of his duties, and that his plan of campaign was well devised, and prosecuted with energy, steadiness, and ability.

As connected with the Seminole campaign under Major General Scott, in 1836, the attention of the Court has been called to the tone and language of his "Order No. 48," dated the 17th of May, and of his letter of the 11th of May to the Adjutant General, now on the file of this Court, (see documents Nos. 138 and 119:) the first reflecting on the people of Florida, and the latter on the conduct of Major Read, of the Florida vol-

unteers. The tenor of these are not considered a military offence, but an indiscretion that it were better to have avoided.

ALEX. MACOMB, *Major General,*
President of the Court.

S. COOPER, *Captain U. S. Army,*
Judge Advocate and Recorder of the Court.

CONTINUATION OF THE PROCEEDINGS IN THE FOREGOING CASE.

FREDERICK, FEBRUARY 22, 1837.

The Court met, pursuant to notice. All present.

The following communications were submitted for the consideration of the Court :

WAR DEPARTMENT, *February 18, 1837.*

SIR : I have the honor to enclose a copy of an Order of the President of the United States, on the Proceedings of the Court of Inquiry of which you are President, relative to the campaign against the Seminole Indians under Major General Scott, and, in compliance with the direction of the close thereof, to transmit the Proceedings, with the documentary evidence referred to therein, (except such as was selected and taken back by the Judge Advocate,) for the future action of the Court. I forward, also, "Major General Scott's Address, or Summary of Evidence taken in his case."

Very respectfully, your most obedient servant,

B. F. BUTLER,
Secretary of War ad interim.

Maj. Gen. ALEXANDER MACOMB,
President of the Court of Inquiry, Frederick, Md.

(COPY.)

Proceedings of the Court of Inquiry recently assembled and still sitting at Frederick, by virtue of Orders No. 65 and 68, so far as the same relate to the causes of the failure of the campaign of Major General Scott against the Seminole Indians, in 1836, were heretofore submitted to the President, and the examination thereof suspended, in consequence of the necessary connexion between the case of Major General Scott and that of Major General Gaines, also referred to the same Court and not yet reported on. Certain other Proceedings of the same Court having been since examined by the President, and having been found defective, and therefore remitted to the Court for reconsideration, the President has deemed it proper, in order to expedite the matter, to look into the first-mentioned Proceedings, for the purpose of ascertaining whether or not the like defects existed therein. On this inspection of the record, he perceives that the Court has not reported, except in a few instances, the facts of the case, as required by the Order constituting the Court, and in those instances, the facts found by the Court are stated in a very general

form, and without sufficient minuteness and precision; and he therefore remits the said Proceedings to the Court, to the end that the Court may resume the consideration of the evidence, and from the same, and from such further evidence as may be taken (in case the Court shall deem it necessary to take further evidence) may ascertain and report, with distinctness and precision, all the facts touching the subject to be inquired of, established to the satisfaction of the Court by the evidence before it, and especially the times when and places where the several occurrences which are deemed material by the Court, in the formation of its Opinion, actually took place, with the amount of force on both sides, at the different periods of time embraced in the transaction, and the positions thereof, and such other circumstances as are deemed material by the Court; together with its Opinion on the whole subject, for the information of the President.

The Secretary of War *ad interim* will cause the Proceedings of the Court in the case of Major General Scott, first above mentioned, with the documentary evidence referred to therein, a copy thereof, to be transmitted to Major General Alexander Macomb, President of the Court, for the proper action thereon.

ANDREW JACKSON.

WASHINGTON, *February* 18, 1837.

The Court proceeded, in conformity with the foregoing instructions of the President of the United States, to take up and review the documentary and oral testimony taken on a former decision in the investigation of the failure of the campaign under Major General Scott against the Seminole Indians in Florida, in 1836, and submits the following Synopsis or condensed view of the testimony on which the Court formed its Opinion.

DOCUMENTARY TESTIMONY.

January 21. General Scott ordered to Florida, with full power to raise a volunteer force, &c. (Doc. 4.)

January 31. General Scott writes from Augusta that he is making preparations for the campaign, by raising a force and collecting supplies; finds muskets in the Augusta arsenal, but no accoutrements or cartridges: the powder unfit for service—no knapsacks, &c.—shall go to Milledgeville to consult the Governor on the subject of the Creek difficulties. (Document 18.)

February 2. General Scott reports from Augusta—wants patent rifles—none in the Southern arsenals—shall arm with muskets—not a sufficient number of accoutrements—shall borrow from South Carolina—deficiency in camp-kettles, &c.—shall have them made—wants more tents, musket-cartridges, &c. (Doc. 20.)

February 6. General Scott writes from Augusta that he has just returned from Milledgeville, where he believes he has quickened the measures for obtaining the force from Georgia; progress making in raising force and collecting supplies for the campaign, &c. (Doc. 34.)

February 16. General Scott arrives at Savannah on the 9th; has been fully occupied in regulating the supplies and movements of the troops for Florida; part of the South Carolina force on the way to Florida; others expected soon to assemble, &c.; expects by the end of the month to have

in the field a force of about 4,600, 1,400 of which mounted; shall arrive in Florida in advance of more than half of the forces called from South Carolina and Georgia, and before the Alabama regiment has reached its destination, (Tampa bay,) and expects towards the end of the month to commence operations. (Doc. 28.)

February 20. General Scott reports from Savannah the arrival of a detachment of recruits from the North; has been waiting for the return of a steamer, &c.; sets off in a few moments for Florida. (Doc. 44.)

February 22. General Scott arrives at Picolata; a battalion of Georgia foot in position, another of mounted men, on this side of the St. Mary's, and presumes another battalion of mounted Georgians are in march from the interior of Georgia. The head company of South Carolina mounted regiment has reached the Ogechee; the regiment of South Carolina foot at St. Augustine; shall wait for the arrival of at least a portion of the mounted force before commencing operations. Gen. Clinch has at Fort Drane 523 men, and reports the enemy about 1,500 warriors, and 200 or 300 negroes. (Doc. 46.)

February 26. General Scott at Picolata; reports the regiment of South Carolina foot moving from St. Augustine, via Tomoca, upon Volusia, where it is expected to arrive by 3d March; the South Carolina mounted regiment may be expected at Volusia about the 7th; these two regiments, with five companies United States artillery, will constitute the left wing. Only one company of mounted Georgians has arrived; a battalion of Georgia foot (340 strong) now in route for Fort Drane, distance sixty-five miles, and a bad road; has been occupied in devising means to send to Fort Drane large supplies; is waiting the arrival of means of transportation from Augusta and Savannah; some wagons have arrived but no horses; the remainder of the baggage train not expected in less than ten days; is using every means to hasten on supplies; embarrassed by the arrival of General Gaines at Fort King with 1,100 men, and who has called upon General Clinch at Fort Drane for 1,400 rations, which will leave only 5,000 rations at Fort Drane, i. e. about eight days' subsistence for the force there, say 650; recalls the Georgia battalion now on the march for Fort Drane; sends 20,000 rations to Volusia, which is about fifty miles from Fort King and seventy from Fort Drane; shall hasten to Fort Drane, although his presence still necessary at Picolata; all his plans thwarted, the principal of which was to move in concert from Fort Drane, Volusia, and Tampa, on the 8th March, upon the enemy, who are supposed to be on the Withlacoochee. (Doc. 47.)

March 2. General Scott at Picolata; reports difficulty in obtaining means of transportation; some of the Georgia volunteers refuse to be mustered into service; four other companies just arrived; the United States dragoons may not arrive in a month. The left wing will probably reach Volusia by the 8th or 10th. Colonel Lindsay's forces cannot be at Tampa before probably the 15th; he cannot be in position in time, and General Eustis cannot cross the Ochlawaha before the 14th. (Document 52.)

March 6. General Scott at Picolata; reports he has not recent intelligence of the movements of General Gaines later than 29th ultimo; important for his combinations that he should speedily learn what has become of General Gaines's column, and whether the position and numbers of the enemy have been materially changed by its operations. Part of

the foot of the left wing now occupy Volusia and positions on the coast as far as Tomoca ; four other companies are engaged in scouring the country between the Atlantic and St. John's ; the left wing cannot be at Volusia before the 12th. The forces in vicinity of Picolata and known to be coming up, are 140 men, under Major Gates, just landed, and eight days from Savannah, through a most unusual storm ; 320 Georgia foot ; 140 Georgia mounted men at Garey's Ferry ; Captain Wharton's dragoons, ninety strong, expected at Garey's about the 11th ; 16,000 rations just despatched for Fort Drane ; the wagons will return to be reloaded ; in the mean time wagons and horses may be expected from Savannah. The wagons reported to have been shipped at Baltimore have been left behind, &c. ; shall send no more troops to Fort Drane on account of difficulty of subsisting them there. (Doc. 68.)

March 9. General Scott between Picolata and Garey's Ferry ; reports on his way to Fort Drane, via Garey's, taking a force of about 240, which may be important to rescue General Gaines. The left wing cannot be in force on the Ochlawaha before the 17th, and Lindsay cannot operate more than two days' march from Tampa, for want of means of transportation ; no transportation yet arrived from Savannah. The amount of subsistence that will be at Fort Drane on the 8th, 17,497 rations of bread and flour, and 11,000 rations of pork, with beef-cattle in the neighborhood, &c. The troops about to proceed as far as the Withlacoochee will not have the means of taking with them rations for more than six days ; recapitulates the cause of his deficiency in the means of transportation. (Doc. 71.)

March 14. General Scott at Fort Drane ; reports the force from the Withlacoochee fallen back on Fort Drane ; has directed General Eustis, after scouring the country through which he will have to pass, to place his column in the neighborhood of Pelaklikaha by the 25th instant ; Col. Lindsay by the same day to be at Chickuchatty. The right wing will move from Fort Drane about the 25th for the Withlacoochee : this time is appointed to give Eustis and Lindsay time to put themselves in position, to recruit the forces lately under General Gaines, and to receive subsistence from Garey's Ferry. (Doc. 77.)

March 13. Fort Drane ; the plan of campaign to move in three columns from Fort Drane, Volusia, and Tampa, upon the Withlacoochee, where they will co-operate, &c. (Docs. 81, 93.)

March 20. General Scott at Fort Drane ; reports he shall probably be obliged to move from Fort Drane on 24th or 25th, with less than eighteen days' subsistence for the right wing, which will consist of about 1,700 fighting men. Some wagons and horses arrived at Picolata from Savannah about the 12th instant ; General Eustis does not expect to be at Pelaklikaha with his wing before the 27th or 28th ; without more wagons and horses has no hope of accumulating at Fort Drane beyond the current consumption, more subsistence than they shall have on the 24th. (Doc. 94.)

March 25. General Scott at Fort Drane ; the right wing moves tomorrow ; reports a skirmish between General Eustis's advance guard and a small party of Indians ; Lindsay arrived at Tampa on the 5th and expects to march on Fort King with a force of about 1,120 men ; Captain Wharton with his dragoons has reached Fort Drane. (Doc. 97.)

April 12. General Scott at Tampa ; reports the greater part of the right wing reached that place the 5th ; half of the left wing arrived the same

day, and the centre the day before. All compelled to go to Tampa for subsistence, &c. (Doc. 103.)

April 8. General Clinch reports the movement of the right wing from Fort Drane to Tampa; left Fort Drane 26th March, with 450 artillery, 270 4th infantry, 75 United States dragoons, 171 Augusta volunteers, Louisiana regiment of volunteers, 321 Cooper's volunteers, and 230 Georgia mounted men, aggregate 1,968; with two six-pounders and eighteen days' rations in wagons, pack-horses, &c. The route in direction of Camp Izard, on the Withlacoochee; difficulty in forwarding the wagon-train, the road new, country wet and deep, obliged to lay logs to make them practicable; reached Camp Izard on the morning of the 28th; the enemy gave notice of his presence on the opposite bank, by firing into camp; preparations immediately made for forcing the passage in boats brought from Fort Drane.

At 4 o'clock A. M. of the 29th, the bank of the river occupied by sharp-shooters and the two pieces of artillery; at day-light the advance, consisting of two companies of artillery, crossed, followed by the Louisiana regiment and the fourth infantry: the train then crossed—in the mean time two companies of mounted men crossed at a difficult ford one and a half mile below—another swam the river near the ferry. The rear division while crossing was attacked; the enemy driven off by discharges from the field-pieces and a volley from the rear guard. Except this attack the passage was unmolested. The enemy fired a few shots into camp during the night from the northern side of the river. On the morning of the 30th proceeded up the river in search of the enemy, and at 10 o'clock discovered him in small parties on an island in a chain of lakes: the baggage train drawn up in compact order and left with a guard of 300 men. The troops advanced to the attack; the enemy retired; were pursued about four miles, when it becoming late, the troops encamped—marched early next morning (31st) and soon discovered the enemy on another island—dispositions immediately made for attack with the right column on one end of the island and the left on the other: the approach at both points impracticable to any but infantry, and extremely difficult for them, the island being surrounded by very broad and wet savannahs, and so boggy that it was with difficulty the men could struggle through it. As the head of the right column approached firm ground, received a sharp discharge of rifles from the enemy; but dashing forward the enemy was soon dislodged and pursued three or four miles, and driven across the river; the column halted and remained on the bank of the river until recalled an hour after. In the pursuit which succeeded the first charge a portion of the right column became several times engaged, whenever thick cypress or hammock growth favored the enemy; but in every instance he was promptly expelled and pursued. The left column approached the island simultaneously with the right, and received a hot discharge from the enemy as it arrived within rifle-shot of the hammock, and at the moment when the advance was plunging through a deep and difficult morass, a few discharges from a six-pounder silenced the enemy: when the advance, &c. charged the hammock, and the enemy fled, and were actively pursued for two miles, until the left came up with the right column, and finding it impossible to penetrate the cypress swamp on its left, halted. Finding it impossible to follow the enemy across the river, and being 24 hours without provisions, the troops returned to the bag-

gage train and encamped. On 1st April marched along the lakes and reached the next morning what appeared to be their southeastern extremity, where they established a post of observation under Major Cooper; leaving him 17 days' provisions, and reserving only enough to carry the troops to Tampa, where they arrived on the 5th April, after a fatiguing and difficult march, making the road the whole distance: the fatigue and exposure increased the sick-list to 150. The killed and wounded in the several rencounters were four killed and nine wounded. (Doc. 104.)

April 10. General Eustis reports the operations of the left wing. Arrived at St. Augustine 15th February—commenced the establishment of a chain of posts at intervals of from 10 to 20 miles, extending south as far as Musquito inlet, in order to cover the southern plantations, &c., and drive off the predatory bands of savages. On the 9th March Colonel Goodwyn's regiment of mounted South Carolinians marched to St. Augustine. On the 10th three men of Brisbane's regiment were killed within 200 yards of his intrenchment, at Tomoca; the enemy fled before he could rally upon them. On 15th the several detachments of the column put in motion for Volusia, via Tomoca. On 22d all had reached that point but Colonel Butler's battalion and two companies of artillery; both which had operated as far south as Smyrna. The route to Volusia was exceedingly difficult and injurious to wagons and horses. On 22d commenced crossing St. John's—about 3 P. M. the advanced guard, after crossing briskly, were attacked by a considerable party of Indians; the guard maintained itself until reinforced by two company; when a charge being made, the enemy was repulsed at all points, and retreated to his fastnesses. In the encounter our loss was three killed and nine wounded—one Indian found dead, and evidences of four others being thrown into the river. On 24th a subaltern's command of mounted men fell in with a party of 12 or 15 Indians and killed two. On 25th the left wing, consisting of four companies of United States artillery, Colonel Goodwyn's mounted regiment, and Colonel Brisbane's regiment of foot, and Elmore's volunteers, concentrated; and on 26th commenced the march for Pelaklikaha by the upper crossing of the Ochlawaha with 1,400 men and 13 days' rations, leaving at Volusia two companies of Brisbane's. The route very difficult—made only seven miles by the evening of 27th. The route becomes better—obliged to build bridges on the Ochlawaha, the Withlacoochee, and one intermediate stream—found no serious impediments to the march to Tampa. On 29th, after crossing the Ochlawaha, an Indian of note, Ayah Hajoe, was killed by Colonel Shelton, who was wounded. On 30th the advance was attacked at Okihumpy swamp, and three men wounded: the hammocks were scoured and the Indians found behind some pines, from which they were soon driven into the depths of the swamp, inaccessible to the troops; one of our men wounded: the enemy retreated whenever our line approached 200 yards. These were the only Indians seen on the march. On reaching Pelaklikaha, found the villages abandoned, and no sign of their having been occupied for several weeks: cattle and ponies abundant in the neighborhood—caused the houses and fences to be burned. On 31st despatched an express to Fort King, who returned the night of 1st April with information that General Scott with the right wing had crossed the Withlacoochee on 28th March; that no communication could be held with him

on that route, and no provisions could be obtained at Fort King. It being impracticable, in the exhausted state of the horses, to draw provisions from Volusia, and having no guide who was acquainted with the country south of Pelaklikaha, determined to move south on the main road from Fort King to Tampa—fired signal-guns at 10 A. M. on four successive days, without hearing any response. On 3d fell upon Lindsay's trail returning to Tampa, and sent an express to him. On the 4th received his answer. On 5th, leaving the foot 15 miles from Tampa, arrived at Tampa with all the horse and wagons. (Doc. 105.)

April 10. Colonel Lindsay reports the operations of his command, (the centre.) On 2d March embarked at Mobile with three companies of Alabama volunteers—seven other companies sailing about same time; the first eight companies reached Tampa on 6th March, and the two others, with horses, provisions, and ammunition, did not arrive until the 13th—found a battalion of Florida volunteers on the west side of the Hillsborough, and about the 10th was joined by a company of Louisiana volunteers. On the 12th discovered large fires in the direction of the Alafia river. The Florida battalion directed to scour that section of country, which duty was successfully performed by a night march, by which the Indians were surprised in their camp, and driven across the river, with a loss of three of their party killed and six of their ponies captured—determines to make a forward movement, and construct a stockade on the Hillsborough, where it is crossed by the main road from Tampa to Fort King, with a view of bringing subsistence nearer to the scene of operations; and, with this view, marches on the 15th. The bridges having been destroyed by the enemy, the march was much embarrassed, and did not reach the Hillsborough until the 17th; from which time to 20th was engaged in constructing the stockade called Fort Alabama. The Florida battalion, under Major Read, left this post, and the remainder returned on 21st to Fort Brooke—received there a despatch from General Scott, giving the plan of campaign, and requiring him to be at Chickuchatty on the 25th, to co-operate. On 22d commenced the march, taking up the battalion at Fort Alabama, and leaving there one company and 30 sick; the route lay through a hilly country, abounding in hammocks. After passing Elochuteka, the Indians, taking advantage of their coverts, began to annoy the rear and flanks. On 26th a flanker was killed and another wounded while passing a dense hammock nearly a mile in length—the hammock was entered, when a brisk fire was kept up between the rear and the enemy; directed a company to charge into the hammock, with a view to ascertain the force of the enemy; the Indians were driven off to the distance of a quarter of a mile in the open woods. During the night, at the encampment, parties of our men were fired upon by the Indians from a hammock contiguous to a pond which furnished water to the troops. Finding the position of the enemy was too distant to be reached by musketry, a round of canister was thrown in, which dispersed them. On the 27th the enemy still continued their annoying attacks, always lying in ambush: one of our men killed and two wounded—at noon halted, and a smart attack was made on the rear, but upon a brisk return of the fire, the Indians disappeared. On 28th, when encamped at Fort Broadnax, near Chickuchatty, the Indians commenced a fire on our horses and the party guarding them, when a detachment was ordered to drive them, which was done without loss on our side. On the 30th, provisions begin-

ning to be scarce, two parties of mounted men were sent in pursuit of cattle, covered by a force of 250 men; they brought in a supply sufficient for four days, although without bread or salt. During the day the friendly Indians killed a chief called Charley Fixico, a leader of about 85 men. At night the sentinels were occasionally fired on, and also during the 31st, but without injury. On 31st made an attempt to procure more beef. Being 60 miles from our depot, with barely enough provisions in store to march to it, without any prospect of being able to keep the field, for the purpose of co-operating, as contemplated in the plan of campaign, and having obtained no response to the signals made for eight days in succession, deemed it advisable to return to Tampa, where he arrived at night, the 4th April. In the interval, between the departure from and return to Fort Alabama, that post was attacked by a force of between 3 and 400 Indians. The attack commenced about eight A. M., and continued, without intermission, for two hours and twenty minutes; our loss, one killed and two wounded; that of the enemy supposed to be 15 killed. Notwithstanding their defeat in the main attack, they continued to lie around the work in considerable force, both day and night, until the return of the main force of the centre, when they moved off on the same road by which we marched, and the sign made on that road furnishes the means of estimating their numbers. (Doc. 106.)

April 30. General Scott, at Picolata; reports the movement of the troops from Tampa on the 14th instant; accompanies the left wing via Pelaklikaha, and the upper crossing of the Ochlawaha. On the night of the 22d the camp was fired upon by a party of six or eight of the enemy. They were pursued at daylight; no result. A party of the enemy was met on the 24th, which might have been cut off, but for a false movement of a company of horse; the horses and packs of the enemy captured; after scouring a succession of hammocks, which were, as far as practicable, surrounded by the horse, were eluded by every Indian. Goes to Volusia and embarks on board a steamer, and ascends the St. John's, 60 miles above Volusia, to the head of Lake Monroe; cannot cross the bar; but takes a canoe and ascends yet further; attacked by a party of the enemy. The object of this *reconnaissance*, &c. A body of the left wing reached Volusia the 25th. All the volunteers of the left wing marched under Colonel Goodwyn, on 28th, for St. Augustine, via Tomoca; the regulars left to garrison Volusia and superintend the evacuation of the post, which had become extremely sickly; the evacuation may be completed in a week. Believes the whole force of the enemy, including negroes, does not exceed 1,200 fighting men, and that not 500 have, at any time since the commencement of hostilities, been brought within the same ten miles square. In all our operations within the last 30 days, have not found a party of more than 130; but parties of from 10 to 30 have been encountered almost every where. His views in regard to future operations, and the force necessary to subdue the enemy. Operations cannot be carried on except between the 20th November and the end of April, the intermediate period being too hot or sickly. At the end of January he asked for troops of the Governors of the several States. The last of the South Carolinians arrived at St. Augustine the 9th March, and at Volusia the 25th. The Georgians, in part, arrived at Fort Drane about that time; but six companies of horse not till the 9th April, after the campaign was nearly over. The Alabama regiment, that was expected at Tampa about the

25th, did not reach that place till the 13th of the month. These extraordinary delays it was impossible for him to foresee or guard against. (Doc. 116.)

May 5. The Adjutant General writes to General Scott that the President approves of General Scott's proposed plan of operations from Tampa, &c. The Secretary of War thinks it probable that, owing to the approaching season of the year, the campaign in the field cannot be much longer vigorously pushed; in which event, General Scott is to make a judicious selection of posts necessary to be occupied by the troops, &c. (Doc. 118.)

May 11. General Scott, at St. Augustine, writes that he is much indisposed. From Clinch's report, the Indians have recommenced depredations and murders in the vicinity of Fort Drane. There is little hope of embodying a respectable number of inhabitants as mounted men to aid in their own defence; has authorized Clinch to raise 80 or 100, in addition to the regular force (9 companies) at Fort Drane. Eustis engaged in mounting two companies of his regiment. Captain Dimmock's company hastily mounted and despatched in pursuit of a party of the enemy at Montangas; overtakes them, kill three and wounds several; our loss, one killed and four wounded. The Indians fled to a hammock. The South Carolina volunteers will not consent to remain longer, their time having expired. Has been using every means to raise a company of mounted volunteers this side of the St. John's; doubts if he shall succeed in raising even 40 men. The steamer *Essayons* will be useful by frequently passing up the St. John's, as far as lake George, in preventing Indians from crossing the river and joining in depredations; speaks of the conduct of Major Read as disgraceful, &c. (Doc. 119.)

April 27. General Clinch at Fort Drane; reports the return of the right wing from Tampa; on the 14th April, his force, consisting of 278 artillery, 43 dismounted dragoons, 202 infantry, 139 Augusta volunteers, and 140 mounted men, left Tampa, on its return to Fort Drane, via Fort Cooper, on the Withlacoochee, making short marches, in consequence of the heat of the weather and debilitated condition of the horses, &c. On the 18th, within three miles of Fort Cooper, despatched two companies, with light wagons, with instructions to Major Cooper to join him; the detachment fired upon from a hammock, and a lieutenant and private severely wounded; the enemy fled. Major Cooper had been invested by the enemy from 5th to 17th April, and had lost one killed and five wounded; estimated the force around him at 250. On 22d, one of the flankers fired on as he passed near a hammock; prompt pursuit made, but without effect, the Indians retreating through the thick undergrowth. 25th, reached Fort Drane, men and horses much exhausted by sickness and heat of the weather; another day's march would have occasioned the abandoning the train; 15 horses and mules died on the road, and eight were turned out that could not be got along by leading, (Doc. 120.) Reports the volunteers returning to their homes; recommends disposition to be made of the regular troops. On 20th, Indians made an attack on Fort Drane, but were met and repulsed by the garrison; carried off some negroes and horses. (Doc. 121.)

April 26. Governor Call reports the situation of the troops in the block-house, on the Withlacoochee, and proposes the relief of the garrison, &c. (Doc. 122.)

April 29. Council of war at Fort Drane ; determine that relief cannot be afforded to the garrison on the Withlacoochee from Fort Drane ; the reasons given. (Doc. 124.)

May 1. General Scott differs from the council in opinion ; thinks that 250 men would be sufficient to relieve the garrison on the Withlacoochee, and that that number might be safely sent from Fort Drane ; orders that the largest practicable force be immediately sent from Fort Drane, provided Governor Call has not been advised that relief cannot be afforded from Fort Drane. (Doc. 126.)

May 5. General Clinch reports that Governor Call has made arrangements for relieving the garrison on the Withlacoochee from Suwannee, &c. (Doc. 127.)

May 7. Colonel Lindsay reports that the force under his command moved from Tampa for the forks of the Withlacoochee on the evening of the 14th April. In passing over the Hillsborough, a wagoner was killed by the Indians, and that night the Alabama regiment was fired on and a sentinel wounded ; the remainder of the march effected without disturbance from the enemy ; arrives at the Withlacoochee ; his dispositions there ; no sign of Indians ; encumbered by the sick of his command ; returns to Fort Alabama. His wagon-train insufficient for the removal of the sick alone to Tampa, and the abruption of the post necessarily deferred until the army could return with its transportation, relieved from the encumbrance of the sick. The march to Fort Brooke uninterrupted by the enemy, and, after resting a day and a half, returned to remove all the public property and stores from Fort Alabama. Colonel Chisholm ordered, with the Alabama regiment, a battalion of 4th infantry and 20 artillery, to remove the troops at Fort Alabama, break up the post, and bring away all the property. The command scarcely proceeded three miles from Fort Brooke when they discovered considerable signs of Indians, the trails leading towards Thlonotosassa creek, and after passing that creek it was apparent that a party had crossed from the Hillsborough. The troops moved on unmolested to Fort Alabama, and on the return march were attacked about 3 o'clock P. M. on the 27th, as the advanced guard was preparing to cross Thlonotosassa creek, the Indians firing from a dense covert on the front and back flanks of the column, which killed and wounded a considerable number of the troops. The fire was vigorously returned by the troops, and by the six-pounder, &c. After 12 or 13 rounds from the piece, Colonel Foster, at the head of the infantry, charged into the hammock, attacked and drove the Indians, estimated at 300, and they put an end to the conflict, which had been kept up for an hour. The Indians fled through the cover of thick hammocks, and the troops marched to Tampa, where they arrived the next day ; five of our troops were killed, 24 wounded. The volunteers are returning to their homes. The rainy season has set in, and the weather so hot as to render it impossible to keep the field without a great sacrifice of life, &c. (Docs. 129, 131, 132.)

April 26. Colonel Smith, of Louisiana volunteers, reports his expedition, accompanied by a naval force, to Charlotte harbor and up Pease creek ; nothing of interest. (Doc. 133.)

May 17. General Scott's order 48 ; speaks of the panic of the people of Florida. (Doc. 138.)

May 20. General Scott at St. Augustine ; reports he has been sick since

the 11th; is recovering slowly, &c. (Doc. 146.) Has received instructions from the War Department, which oblige him to leave Florida; turns the command over to General Eustis. (Doc. 148.)

May 16. Secretary of War directs General Scott to take the direction of the Creek war. (Doc. 155.)

ORAL TESTIMONY.

Deposition of Charles Dimmock, late quartermaster, (page 133.)

To question 1. Stationed at Savannah, &c.

To questions 2 and 4. Submits letters of advice from Major Cross; two wagons shipped by brig Oglethorp; ten others to be shipped 30th January; six wagons shipped in schooner Ida in February; two wagons shipped in February from Savannah to Picolata; six more on the 5th March, and two others about the 1st of May: all these received from Major Cross. Harness, &c., for the wagons arrived on the 24th February, and shipped to Picolata.

To question 5. First bacon received 3d of April; reshipped to Florida 4th April; limited transportation.

To question 6. No knowledge of bacon being shipped before 4th April.

To question 7. All the requisitions of General Scott for transportation complied with, except two boats, which could not be obtained. Purchased seven wagons, and received eight from Major Cross, making fifteen in all. On or about the 10th of February purchased, by order of General Scott, one hundred and fifty-one horses at Augusta, and sixty-five near Savannah—in all, two hundred and sixteen. Turned over to Captain Gibson fifteen horses; 4th March sent fifty-eight across the country to Florida; on the 4th March one hundred and six to Captain Wharton; 8th March sent eight horses by steamboat; on 16th March sent on eighteen; making in all two hundred and five horses. Harnessin excess was sent for all the wagons.

Deposition of Colonel Gadsden, (page 136.) So full of incident that it must be read to a full understanding of the campaign.

Deposition of F. D. Newcomb, late of the army, (page 142.)

To question 1. Was assistant quartermaster at Tampa.

To question 2. Received no transportation from New Orleans in March, and up to 17th April. Subsequent to the march of General Scott from Tampa, there were received at Tampa, about 1st May, sixteen mules and a few carts or wagons. They would not have been sufficient for the purpose required. They were sent from New Orleans, in answer to a letter calling for 50 wagons and 200 horses.

To question 3. The reason transportation was not forwarded to Tampa from New Orleans, the impression that the war had been ended by General Gaines; communicated the same to General Scott. Received the information from the quartermaster at New Orleans; see letter of Major Clark, page 143.

To question 4. Corn for the horses damaged, except a few bags sound.

To question 5. Furnished ample transportation for Major Read's command. Expedition of great importance. General Scott evinced great solicitude on the subject.

To question 6. No better transportation could have been furnished Major Read, and that furnished ample.

Colonel Lindsay's testimony, (page 145.) Necessary that the whole should be read, as it embraces important information in reference to the whole campaign, and the causes of failure.

General Eustis's testimony, (pages 154 and 163.) The whole should be read; important in facts.

Captain Thruston's testimony (page 161) should be read, being important as to facts, &c.

Colonel Bankhead's testimony (page 174) should be read; important to an understanding of the operations of the campaign.

Captain Thistle's testimony, (page 178.)

To question 8. Impressions as to the Indians being still hostile.

To question 9. Indians found ready to fire; fired upon the rear guard; killed a negro.

Mr. Locke's testimony, (page 180,) relating to supplies of provisions.

General Clinch's testimony, (page 181.) Necessary to be read; embracing a view of the campaign.

Lieutenant Morris's testimony, (page 186,) relative to provisions; erection of bake-ovens, &c.; sutlers' supplies, &c.

Letter from Major Clark, page 143, (Doc. 152.)

Captain Van Buren's testimony, (page 187.)

To question 1. Train of wagons arrived at Picolata from Fort Drane 1st or 2d March.

To question 2. Captain Shannon, quartermaster, charged with loading the train; his unremitting exertions.

To question 3. Stormy weather; difficulty of crossing the St. John's river.

To question 4. Train left Picolata 5th March; General Scott marches with a small detachment 9th March; object to rescue Generals Gaines and Clinch on the Withlacoochee; the subsistence by train for them.

Colonel De Peyster's testimony, (page 188.) In reference to the difficulty of crossing the St. John's with supplies, in consequence of stormy weather.

Colonel Gadsden's 2d deposition (page 188) should be read, to a full understanding of the operations of the campaign.

The Court, in proceeding to review the Seminole campaign under Major General Scott in Florida, and the Opinion it has formed as to the causes of its failure, already submitted to the President, will remark, that that Opinion was formed upon a careful examination, and a comprehensive view of the oral and documentary testimony taken in the case, as cited above, applying the same in its general and particular bearing upon the subject submitted for its examination and inquiry.

In conformity with the instructions of the President, the Court, after stating the above facts in reference to the manner its Opinion was formed, proceeds to review the whole of the testimony, documentary and oral, and embodies such facts deduced therefrom, and applies the same to the several causes enumerated in its Opinion as to the failure of the campaign.

1st. As to *the want of time to operate*—see order of the Secretary of War of 21st January, (doc. 4;) also, documents 18, 20, 24, 38, 44, 46, 47, 52, 68, 71, 77, 81, 93, 94, 97; also, testimony of General Clinch, page 181,

in answer to 1st question of General Scott, and in answer to the first question by the Court, on page 182. Deposition of Colonel Gadsden, page 142, line 3 of last paragraph. General Eustis's testimony, page 160, line 24; and Colonel Bankhead's testimony, page 175, two last lines.

2d. As to *the insalubrity of the climate*—see Colonel Lindsay's testimony, page 150, lines 26, 27, 28, and 29; page 152, lines 13 and 14 from bottom; also, Colonel Bankhead's testimony, page 176, lines 12, 13, 14. General Clinch's testimony, page 181, in answer to 3d and 4th questions by General Scott; and General Eustis's testimony, page 159, in answer to 22d question by General Scott.

3d. As to *swamps and hammocks*—see testimony of Colonel Lindsay, page 146, in answer to General Scott's 6th question; page 153, in answer to General Scott's 27th question; also, General Eustis's testimony, page 160, in answer to General Scott's 25th question.

4th. As to *a want of a knowledge of the topography of the country*—see Colonel Lindsay's testimony, page 151, lines 2, 3, 4, 5, 6, 7, 8, 9, 10 from bottom; also, General Eustis's testimony, page 160, in answer to question by the Court.

5th. As to *the difficulty of obtaining, in time, the means of transportation for the army*—see testimony of Charles Dimmock, page 135, in answer to a question by the Judge Advocate; also, Colonel Gadsden's testimony, pages 141 and 189, in answer to 2d question by General Scott. F. D. Newcomb's testimony, pages 142, 143, in answer to questions 2 and 3 by General Scott. Colonel Lindsay's testimony, pages 143, 149, in answer to questions 13, 14, 15, by General Scott; and General Eustis's testimony, page 154, in answer to question 1 by General Scott; and page 160, in answer to question by the Court.

The Court, in thus resuming the consideration of the evidence, as directed by the President, and in reporting with distinctness all the facts touching the subjects of inquiry, as well as the times when and places where any material occurrence took place, with the amount of force on both sides, at the different periods of time embraced in the transaction, and the positions thereof, and all other important circumstances, believes it has fulfilled the instructions of the President; and, further, the Court considers that its Opinion, already given, is fully sustained by the facts and circumstances submitted herewith.

The Court adjourn, *sine die*.

ALEX. MACOMB, *Major General,*
President of the Court of Inquiry.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

CONTINUATION OF THE PROCEEDINGS IN THE FOREGOING CASE.

WASHINGTON, MARCH 2, 1837.

The Court met, pursuant to notice. All present.

The following Order from the Secretary of War was laid before the Court:

DEPARTMENT OF WAR, *March 2, 1837.*

TO MAJOR GENERAL MACOMB, *President of the Court of Inquiry directed to be convened at Frederick, Maryland, by General Order No. 65:*

SIR: You will reassemble the Court of Inquiry in the city of Washington, in order that it may reconsider and review the Proceedings in the cases of the campaigns in Florida, and in the Creek nation, conducted by Major General Scott, so as to embrace facts in the Opinion of the Court, as required by the Order of the President organizing the Court, and by his Orders of the 14th and 18th of February last.

B. F. BUTLER,
Secretary of War ad interim.

In obedience to the foregoing order, the Court was occupied until the 8th of March in reconsidering and reviewing its Proceedings, and in reporting the following facts:

The Court finds, from a review of the testimony, that Major General Scott was ordered, on the 21st of January, to take the direction of the Florida war, with full authority to organize a regular and volunteer force sufficient, in his judgment, with a view to bring the war to a speedy termination. That, under this order, he proceeded to Augusta, Georgia, where he arrived near the last of January, and commenced organizing the service. That he proceeded thence to Milledgeville, for the purpose of consulting with the Governor of Georgia on the subject of the Creek difficulties, and hastening the preparations for operations in Florida. That he returned to Augusta on the 6th of February, and arrived at Savannah on the 9th, where he was occupied in regulating the supplies and movements of the troops for Florida, until the 20th. That he arrived at Picolata on the 22d, and was detained there until the 9th of March, awaiting the arrival of troops, both regulars and volunteers, also transportation and supplies, and in forwarding the same to Fort Drane and Volusia; his plan of campaign being to move in three divisions simultaneously from Fort Drane, Volusia, and Tampa, upon the Withlacoochee, the stronghold of the enemy. That, on the 9th of March, General Scott proceeded to Fort Drane with a small escort, with supplies for the relief of General Gaines's forces on the Withlacoochee, and arrived at Fort Drane about the 14th, where he was detained until the 25th, to give time for the left wing and the centre of his army to put themselves in position, and also in awaiting the arrival of supplies to enable him to commence operations: these supplies were delayed for the want of additional means of transportation momentarily expected from Savannah, the few teams already in use being nearly exhausted by the bad state of the roads and the constant and heavy labor imposed on them. On the 26th of March General Scott commenced his movement

from Fort Drane for the Withlacoochee with the right wing of his command, consisting of about 1,968 regular and volunteer troops, and with eighteen days' rations. That he reached Camp Izard, on the Withlacoochee, on the morning of the 28th, where the Indians, from the opposite bank of the river, fired into the camp. Preparations being made, the troops commenced crossing the river the next morning at 4 o'clock; during the crossing the rear division was attacked, but the enemy was driven. On the morning of the 30th, the army having crossed, proceeded up the river in search of the enemy, whom they discovered about 10 o'clock, in small parties, on an island in a chain of lakes; the troops advanced to the attack, when the Indians retired and were pursued about four miles, but not overtaken. The next morning the Indians were again discovered on another island, surrounded by broad and wet savannahs, and so boggy that it was with difficulty the troops could struggle through them. The Indians were attacked, dislodged, and pursued three or four miles, when they eluded the pursuit by crossing the river. In this pursuit the troops became several times engaged, but the enemy was always dislodged and driven from the hammock. Finding it impossible to pursue the enemy across the river, and being twenty-four hours without provisions, the troops returned to their baggage-train, and encamped. On the 1st of April, the troops proceeded on the march, and established a post of observation, called Fort Cooper, at the southeastern extremity of a chain of lakes, leaving there a part of the force, with seventeen days' provisions, and reserving only enough subsistence to carry the remainder to Tampa bay, where they arrived on the 5th of April, after a fatiguing and difficult march, making the road the whole distance. The loss of the troops in the several rencounters was four killed and nine wounded.

The left wing, under General Eustis, after scouring the country between St. Augustine and Volusia, via Tomoca, commenced crossing the St. John's at Volusia, on the 22d of March, when it was attacked by the enemy, who was repulsed at all points, and retreated to his fastnesses, after a loss on the part of the troops of three killed and nine wounded; one Indian was found dead, and evidences of four others being thrown into the river. On the 24th, a subaltern's command of mounted men fell in with a party of twelve or fifteen Indians, and killed two. On the 25th, the left wing, consisting of four companies of United States artillery, Colonel Goodwyn's mounted regiment, Colonel Brisbane's regiment of foot, and Elmore's volunteers, concentrated, and on the 26th commenced the march for Pelaklikaha, by the upper crossing of the Ochlawaha, with 1,400 men and thirteen days' rations, leaving at Volusia two of Brisbane's companies. The route being difficult, the troops made only seven miles by the evening of the 27th, and were obliged to build bridges over the Ochlawaha, the Withlacoochee, and one intermediate stream. On the 29th, after crossing the Ochlawaha, an Indian of note, Ayah Hajah, was killed by Colonel Shelton, who was wounded. On the 30th, the advance was attacked at Oakahumpkey swamp, and three men killed; the hammocks were scoured, and the Indians discovered and driven into a swamp inaccessible to the troops, one of whom was wounded. The enemy retreated whenever the troops approached to within two hundred yards. On reaching Pelaklikaha, the villages were found to have been abandoned, perhaps for several weeks; cattle and

ponies were abundant in the neighborhood; the houses and fences were burnt by the troops. It being impossible to obtain provisions from Fort King, and the horses being too much exhausted to draw provisions from Vo.usia, and General Scott having crossed the Withlacoochee south, on the 29th, with the right wing, the left wing moved on the main road from Fort King to Tampa, where the horse of that wing arrived on the 5th of April, leaving the foot at a position fifteen miles from that place.

The centre, under Colonel Lindsay, consisting of from 1,000 to 1,200 men, organized at Tampa about the 13th of March. Large fires being discovered in the direction of the Alafia, the battalion of Florida volunteers was sent in that direction, where they surprised a party of Indians, killing three and capturing six ponies. On the 15th, the centre moved upon the Hillsborough, on the main road to Fort King; and on the 20th, established a post, called Fort Alabama, with a view of bringing supplies near to the scene of hostilities, in the direction of the Withlacoochee, leaving there the Florida battalion under Major Read, the remainder of the troops marching back to Fort Brooke, (Tampa,) where a despatch was received from General Scott giving the plan of the campaign, and requiring the centre to be at Chickuchatty by the 25th to co-operate. On the 22d the march was commenced, the battalion at Fort Alabama was taken up, leaving at that post one company, and thirty sick. The route lay through a hilly country, abounding in hammocks. After passing Elochucto, the Indians, taking advantage of their coverts, began to annoy the rear and flanks of the column; a flanker was killed and another wounded whilst passing a dense hammock. The hammock was scoured and the Indians driven out. During the night, at the encampment, parties of the troops were fired on by the Indians from a hammock contiguous to a pond which furnished water for the troops; the Indians were dispersed by a round of canister. On the 27th, the Indians still continued their annoying attacks, always firing from ambush; one of our men was killed and two wounded. The column halted at noon, when an attack was made upon the rear; but upon a brisk return of the fire the Indians disappeared. On the 28th, when encamped at Fort Brodnax, near the Chickuchatty, the Indians commenced a fire on the horses and the party guarding them. A detachment was sent out, which drove the enemy without loss to the troops. On the 30th, provisions being scarce, two parties of mounted men were sent in pursuit of cattle, covered by a force of 250 men; they brought in a supply sufficient for four days. During that day, the friendly Indians attached to the command killed a chief called Charley Fixico, a leader of about 85 men. That night the sentinels were fired upon occasionally, and also on the 31st, but without injury. On the same day an attempt was made to procure more beef. Being sixty miles from the depot, with barely enough provisions to reach it, without any prospect of being able to keep the field for the purpose of co-operation, and having obtained no response to the signals made for eight days in succession, Colonel Lindsay deemed it advisable to return to Tampa, where he arrived on the night of the 4th of April. In the interval between the departure from and return to Fort Alabama, that post was attacked by a force of between 300 and 400 Indians, which resulted in a loss on the part of the troops, after an action of two hours and twenty minutes, of one killed and two wounded; the supposed loss of the enemy was 15 killed. The enemy continued to lie around the work

in considerable force, both day and night, until the return of the centre column.

The several columns which arrived at Tampa about the 5th of April, remained at that place until the 14th, for the purpose of recruiting the men and horses, which had become much exhausted from the heat of the weather and the fatiguing and difficult marches. The army was here divided into five detachments: Colonel Smith, with the Louisiana volunteers, was detached to Charlotte harbor and up Pease creek, accompanied by a naval force, where, after operating some days up the country, and discovering no Indians, he returned to Tampa, and thence to New Orleans, where the volunteers were discharged.

The Florida volunteers, under Major Read, were sent to the mouth of the Withlacoochee, to operate up that river. The object of this expedition was not effected, and the troops were conveyed to St. Mark's and Tallahassee, where they were discharged.

The right wing, under General Clinch, consisting of 278 artillery, 43 dismounted dragoons, 202 infantry, 139 Augusta volunteers, and 140 mounted men, marched for Fort Drane, via Fort Cooper, on the Withlacoochee; making short marches, in consequence of the heat of the weather and the debilitated condition of the horses. On the 18th, three miles from Fort Cooper, General Clinch despatched two companies, with light wagons, with instructions to Major Cooper to join him; the detachment was fired upon from a hammock, and one lieutenant and a private severely wounded; the enemy fled. Fort Cooper had been invested from the 5th to the 17th of April, with a loss of one killed and five wounded; the force of the enemy estimated at 250. On the 22d, one of the flankers was fired on from a hammock, when prompt pursuit was made, but without effect, the Indians retiring through a thick undergrowth. The troops reached Fort Drane on the 25th, the men and horses much exhausted by sickness and the heat of the weather; another day's march would have occasioned the abandoning the train; 15 horses and mules died on the road, and eight were turned out that could not be got along by leading. The term of service of the volunteers having expired, they returned to their homes. On the 20th the enemy made an attack on Fort Drane, but were repulsed by the garrison; they carried off some negroes and horses.

The left wing, accompanied by General Scott, moved via Pelaklikaha and the upper crossing of the Ochlawaha, for Volusia. On the night of the 22d of April the camp was fired upon by a party of six or eight Indians; they were pursued at daylight without any result. On the 24th, a party of the enemy was met, but with no other result than the capture of their horses and packs, the enemy escaping into the hammocks. A body of the left wing reached Volusia on the 25th. All the volunteers of the left wing marched under Colonel Goodwyn for St. Augustine, on the 28th, via Tomoca. The regulars were left to garrison Volusia, and superintend the evacuation of the post, which had become very sickly.

The centre column, under Colonel Lindsay, moved for the forks of the Withlacoochee. Passing over the Hillsborough, a wagoner was killed by the Indians, and on that night the Alabama regiment was fired on, and a sentinel wounded. The remainder of the march was effected without annoyance from the enemy. No signs of Indians were discovered on the Withlacoochee. Being encumbered with the sick, the troops

returned to Fort Alabama. The wagon-train was insufficient for the removal of the sick alone to Tampa, and the abruption of the post of Fort Alabama was necessarily deferred until the army could return with its transportation from Tampa, relieved from the encumbrance of the sick. The march to Tampa was uninterrupted by the enemy; and after resting a day and a half, Colonel Chisholm, with the Alabama regiment, 4 companies of infantry, and 20 artillery, returned to remove all the public property and stores from Fort Alabama. The troops reached Fort Alabama, and on their return march were attacked about 3 o'clock in the afternoon of the 27th, as the advance guard was preparing to cross Thlo-notosassa creek; the Indians firing from a dense covert on the front and both flanks of the column. The fire was vigorously returned by the troops; and after twelve or thirteen rounds from a field-piece, Colonel Foster, at the head of the infantry, charged into the hammock, attacked and drove the Indians, estimated at 300, and thus put an end to the conflict, which had been kept up for an hour, resulting in a loss on the part of the troops; of 5 killed and 24 wounded. The troops reached Tampa the next day, and the volunteers returned to their homes; the rainy season having set in, and the weather so hot as to render it impossible to keep the field without a great sacrifice of life.

The strength of the enemy during the campaign is estimated by General Scott not to exceed 1,200 fighting men, and he is of opinion that not more than 500 had, at any time since the commencement of hostilities, been brought within the same ten miles square; and that in all his operations for thirty days, no party larger than 130 had been found, but that parties of from ten to thirty had been encountered almost everywhere.

After the return of the troops from Tampa to their several positions, General Scott deemed it necessary, in consequence of the extreme heat of the weather and the sickness of the troops, to put them into summer quarters, which was approved by the Secretary of War in a letter of the 5th May, from the Adjutant General; and thus closed the campaign.

The Court, after a full consideration of the foregoing facts, and the testimony from which they are drawn, comes to the same conclusion as expressed in its Opinion already given, in the following words, to wit:

"The Court, after a careful review of the great mass of testimony taken in the foregoing investigation, finds that Major General Scott was amply clothed with authority to create the means of prosecuting the Seminole war to a successful issue, but is of opinion that, at the time he was invested with the command, the season was too far advanced for him to collect, appoint, and put in motion, his forces until a day too late to compass the object. It appears that, after using great diligence and energy, he was not in a condition to take the field and enter the enemy's strongholds before the 28th of March, and then without sufficient means for transporting the necessary supplies to enable him to remain there long enough to seek out the scattered forces of the enemy.

"The Court, therefore, ascribe the failure of the campaign to the want of time to operate; the insalubrity of the climate after the middle of April; the impervious swamps and hammocks that abound in the country occupied by the enemy, affording him cover and retreat at every step; an absence of all knowledge by the general, or any part of his forces, of the topography of the country; together with the difficulty of obtaining, in time, the means of transporting supplies for the army.

"The Court is further of opinion, from the testimony of many officers of rank and intelligence who served in the campaign, that Major General Scott was zealous and indefatigable in the discharge of his duties ; and that his plan of campaign was well devised, and prosecuted with energy, steadiness, and ability."

A. MACOMB, *Major General,*
President of the Court of Inquiry.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

No. 2.

PROCEEDINGS OF A COURT OF INQUIRY

IN THE CASE OF

MAJOR GENERAL SCOTT.

[DELAY IN OPENING AND PROSECUTING THE CREEK CAMPAIGN.]

PART SECOND.

Continuation of the Proceedings of a Court of Inquiry, held at the city of Frederick, Maryland, by virtue of Orders Nos. 65 and 68, dated Adjutant General's Office, Washington, October 3, 1836, and October 14, 1836.

FREDERICK, DECEMBER 13, 1836.

The Court met, pursuant to adjournment.

Present: Major General Macomb, President; Brigadier General Atkinson and Brigadier General Brady, members; Captain Cooper, Judge Advocate and Recorder.

The Court was occupied from this day to the 16th of December in examining the documentary testimony having reference to the campaign against the hostile Creek Indians, in 1836. (See papers accompanying these Proceedings.)

DECEMBER 19, 1836.

The Court met, pursuant to adjournment. All present.

The subject of the Creek campaign being resumed—

Major Edmund Kirby, paymaster of the army, and a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* Did the witness serve with General Scott in the late Creek war? in what capacity, and for what length of time?

Answer. I did. I was announced in orders for staff duties generally, and accompanied General Scott from St. Augustine on the 21st of May, and remained with him at Columbus to the 17th of June, when I returned to Florida.

2. *Question by General Scott.* By what general officer of the army were the witness and General Scott joined at Augusta, Georgia, and by what high public functionary at Milledgeville?

Answer. General Scott was joined at Augusta, on the 27th of May, by Major General Jesup; and was accompanied from Milledgeville to Columbus by Governor Schley, together with General Jesup.

3. *Question by General Scott.* Does the witness recollect any conversation at Milledgeville, on the road, or at Columbus, between his excellency the Governor of Georgia, General Jesup, and General Scott, respecting the best plan of operations against the hostile Creeks; and what were the outlines of that plan?

Answer. Previous to arriving at Augusta, General Scott had explained to me that his plan of operations would be, first, by troops placed on the left bank of the Chattahoochie, and steamboats to cruise upon that river, to prevent the escape of the enemy into Florida; then, with such forces as could be spared, to commence operations below the enemy, in Barbour county, Alabama, and drive the enemy before him upwards, or capture him. After being joined by General Jesup and Governor Schley, he explained to them, in my presence, his plan of operations. General Jesup remarked that the same plan had occurred to him, and had been discussed by him with the President and the Secretary of War. Governor Schley also remarked that the same general plan had occurred to him as the most proper.

4. *Question by General Scott.* Is the witness aware that General Jesup, in any subsequent conversation with General Scott, (that is, before the former set out for Tuskegee,) ever expressed a doubt as to that plan of operations, or suggested any modification of it?

Answer. I am not.

5. *Question by General Scott.* Did General Scott, up to the time the witness left him, steadily adhere to the same plan of operations in all his conversations, instructions, orders, and arrangements?

Answer. He did.

6. *Question by General Scott.* Will the witness state, after looking at the letter-book of headquarters, whether the originals of the two letters to his excellency the Governor of Alabama, therein copied, were duly despatched, and by what several conveyances?

Answer. The originals were placed in the hands of Captain Page, to be transmitted, by an Indian runner, from Fort Mitchell, across the nation, to Tuskegee; a duplicate set was handed to the express-rider who brought a letter from Governor Clay, by the upper route, through Chambers county, addressed to the commanding officer of the Georgia militia, at Columbus, to be conveyed by that route to Governor Clay. Both of these letters are dated the 31st of May, the day after the arrival of General Scott at Columbus.

7. *Question by General Scott.* Had, at the time the witness left General Scott, as far as he knows, or believes, any answer to, or acknowledgment of, those letters been received by General Scott?

Answer. Many of the letters received by General Scott were opened by me, and all official ones, I believe, were placed in my hands. I have no knowledge or belief that he received one from Governor Clay up to the time I left him.

8. *Question by General Scott.* Does the witness recollect any letter from Governor Schley to Governor Clay, of the same date with those from General Scott to the latter; and does the witness know by what conveyance or conveyances Governor Schley's letter was sent to Governor Clay?

Answer. I believe that Governor Schley wrote to Governor Clay by the same conveyance, and perhaps by both conveyances, by which General Scott's letters were sent.

9. *Question by General Scott.* What does the witness recollect as to General Scott's calling for a return from the arsenal near Augusta, while passing through that city, and of his marking upon that return the number of arms and ordnance stores which he wished to be sent to Columbus?

Answer. At Augusta, on the 26th of May, General Scott sent to Major Baden, the commanding officer at the arsenal, who was too unwell to leave his quarters, for a list of all the arms and ordnance stores at the arsenal. He marked upon the list such articles as he deemed would be useful for the campaign, and directed Lieutenant Dimmock, the quartermaster, to have them forwarded without delay to Columbus.

10. *Question by General Scott.* Had General Scott any staff with him at Augusta, other than the witness and Captain Dimmock; and were not the witness and General Scott greatly occupied at the time?

Answer. Lieutenant Dimmock accompanied General Scott from Savannah to Augusta, and was left at the latter place on duty as assistant quartermaster. I was the only other staff officer with the general at the time, and we were both constantly occupied by official duties.

11. *Question by General Scott.* Does the witness recollect whether any copy of the return received from the Augusta arsenal was retained by the witness or General Scott; and what became of the return which was marked by General Scott, as the witness has already stated?

Answer. I believe no copy was retained, but the original was placed in the hands of Lieutenant Dimmock, with orders to have the articles which the general marked forwarded.

12. *Question by General Scott.* Up to the time that the witness left General Scott at Columbus, and when the latter was not quite ill in bed, is the witness aware that the said Scott failed, in point of zeal or judgment, in preparing for prompt and active operations against the hostile Creek Indians?

Answer. I am not. The general manifested great and incessant solicitude for the arrival of the necessary arms and other supplies, to enable the troops to take the field.

13. *Question by General Scott.* What does the witness recollect of arms and accoutrements having been ordered by General Scott from St. Augustine and Picolata to the Chattahoochie river, before the said Scott left Florida?

Answer. Very soon after leaving St. Augustine, the general informed me that he had, previously to leaving that place, ordered all the surplus arms and accoutrements at St. Augustine and Picolata to be forwarded to the Chattahoochie.

14. *Question by General Scott.* Is the witness aware of any failure on the part of General Scott to hasten, by all the means in his power, the arms and accoutrements necessary for the Georgia quota of troops?

Answer. I am not. He manifested constant anxiety for their arrival, and used every means in his power to hasten it.

15. *Question by General Scott.* The witness saw, or mustered into service, the greater part of the Georgia line of troops; what portion of those troops brought with them arms and accoutrements, and what was the condition of those arms and accoutrements?

Answer. I mustered into the service of the United States forty-five companies of the Georgia troops, at Columbus, early in June. They

were generally entirely destitute of arms and accoutrements. The few arms they had were generally unfit for service in the field.

1. *Question by the Court.* How many days were the Georgia militia waiting for their arms, or detained for the want of them?

Answer. The Georgia troops had nearly all arrived at Columbus by the 12th of June. Some arms had arrived previously, and had been placed in the hands of the militia, who were ordered immediately to take post below Columbus, on the Chattahoochie.

2. *Question by the Court.* Do you not think that those who brought with them their fowling-pieces and ordinary rifles might have been sent forward, and been fit, with these arms, to meet the Indians successfully?

Answer. The troops who brought arms with them were immediately ordered to take post on the Chattahoochie, below Columbus, and occupied several positions on the left bank of that river; ammunition for them was purchased in Columbus. In my opinion, if these men, thus imperfectly armed, had been sent across the river, into the enemy's country, they might have been flogged and driven out of it. Their arms were of different calibre, and not in order. They had no accoutrements, no fixed ammunition, no camp equipage, and no adequate supply of provisions.

3. *Question by the Court.* Were the Creek Indians better armed than they?

Answer. I had no means of knowing.

16. *Question by General Scott.* Was the portion of the Georgia militia already armed at the time the witness left Columbus, (June 17,) sufficient in number to guard the left bank of the Chattahoochie, and at the same time to operate against the enemy in his own country successfully?

Answer. It was not. The Georgia troops, posted on the left bank of the Chattahoochie, below Columbus, were fully occupied in repelling the efforts of the enemy to escape across the river in the direction of Florida.

The Court adjourned, to meet to-morrow morning at 10 o'clock.

DECEMBER 20, 1836.

The Court met, pursuant to an adjournment. All present.

The examination of Major Kirby continued.

17. *Question by General Scott.* When the witness arrived with General Scott at Columbus, Georgia, what was the state of the stores and supplies generally found there for the army?

Answer. There was a destitution of all supplies. Subsistence for the troops was purchased by me, from day to day, through the agency of Major Huson, in the streets of Columbus, and in the neighboring country. Camp-kettles, mess-pans, tents, and haversacks were also made, under the orders of the general, for the troops arriving. Drag-ropes for the wagons, and ferry ropes, were made, and scows were constructed; and all the powder and lead to be found in the place was also purchased. The powder and lead were made into cartridges, and distributed to the militia.

18. *Question by General Scott.* What does the witness recollect of a conversation between Generals Jesup and Scott, respecting a letter from

the said Scott, dated at Augusta, May 26, 1836, and addressed jointly to the quartermaster and commissary at New Orleans ; and which letter is copied into General Scott's letter-book, in the handwriting of the witness?

Answer. Upon General Jesup's informing General Scott of the arrangements made by him previously to leaving Washington, it appeared that he also had instructed Major Clark to forward supplies of provisions from New Orleans to the Creek nation. On a comparison of dates, it was deemed extremely probable that the communications from Generals Scott and Jesup to Major Clark must both have reached him, at New Orleans, by the same mail.

19. *Question by General Scott.* Was the conclusion just stated by the witness arrived at both by the said Jesup and the said Scott?

Answer. The calculation was made by General Scott, and I understood it to be assented to by General Jesup.

The Court was occupied the remainder of this day, and the whole of the next, in prosecuting the inquiries into the Seminole campaign.

DECEMBER 22, 1836.

The Court met, pursuant to adjournment. All present.

The Judge Advocate presented to the Court the following depositions:

Deposition of A. H. Kenan, a citizen of Georgia, taken by the Judge Advocate on the 27th of November, 1836.

1. *Question by General Scott.* You served with General Scott against the Creeks; in what capacity, and for what time?

Answer. I served with General Scott in the late Creek campaign as volunteer aid-de-camp, under a commission of colonelcy from the Executive of Georgia. In this capacity I was with General Scott from about the 4th of June, 1836, until his recall, which was about the 6th of July, 1836.

2. *Question by General Scott.* Early in June, at Columbus, did you frequently hear General Scott develop for discussion his plan of campaign against the hostile Creeks; and what was that plan?

Answer. I joined General Scott two or three days after his arrival at Columbus. The General and Governor Schley, and others of the army and town, were in frequent conversations upon the subject of the campaign, and the defence of the Georgia and Alabama lines. I cannot more intelligibly or more definitely and concisely give the plan of campaign than by a reference to General Scott's letter of instruction to Major General Jesup, upon his departure from Columbus to assume the command at Tuskegee of the Alabama troops. This letter to General Jesup, bearing date the 1st of June, 1836, contains the prominent features of General Scott's contemplated movements. In the frequent conversations between General Scott and Governor Schley and others, in my presence, it was deemed all-important, preparatory to any offensive movement upon the enemy, to cut off his retreat to Florida. To secure this object, it was the plan of General Scott to station troops upon the eastern bank of the Chattahoochie river, from a point 18 or 20 miles below Co-

lumbus, to Roanoke ; a course which would not only intercept the enemy's retreat to Florida, but which would protect the frontier of Georgia, and keep open the navigation of the Chattahoochie. In addition, it was urged by General Scott that this course or plan of operations would not only give defence and protection to the frontier of Georgia, and prevent the escape of the enemy, but, by commencing his operations in the vicinity of Irwinton, Alabama, and moving upwards, the disembodied parts of the hostile Creeks would be driven to the interior of the nation, and most probably imbody for battle, or surrender. It was also urged by General Scott that this plan of operations would not only intercept the flight of the enemy, and give immediate defence to the frontier counties of Georgia, but that, in its beneficial results, the health of the army would be consulted, in passing, in the early part of the season, from the swamps to higher and healthier parts of the nation.

3. *Question by General Scott.* To whom did General Scott develop his plan of campaign for discussion ; and was General Jesup one of those present ?

Answer. General Scott developed his views fully and freely to Governor Schley, and to the officers of the army, and many of the officers of the volunteers ; all of whom gave their concurrence. I arrived at Columbus the day previous to General Jesup's departure for Tuskegee, and consequently know but little of the concurrent views of General Jesup. The only interview between the two generals in my presence, was upon the morning of General Jesup's departure for Tuskegee, at which time General Scott gave the general the letter of instructions previously referred to.

4. *Question by General Scott.* Did General Jesup, in terms or in manner, dissent from that plan and its supposed advantages ; or did he, in terms or in manner, assent to the one or the other ?

Answer. General Jesup made no objection to the plan or its supposed advantages : from the conversation which passed, I received the impression that the plan was a mutual one.

5. *Question by General Scott.* Did General Scott steadily adhere to that plan of operations in all his conversations, acts, and arrangements, without deviation, up to the time of General Jesup's march upon, and personal arrival at, Fort Mitchell ?

Answer. He did.

6. *Question by General Scott.* Were you not almost constantly with General Scott by day and by night, and fully in his confidence ?

Answer. I was constantly with General Scott, and had the pleasure of believing I possessed his confidence.

7. *Question by General Scott.* Was the conduct of General Scott, in preparing for the campaign, and its prosecution, marked by zeal, activity, and judgment, or the reverse ?

Answer. Could the conduct of this distinguished officer, in the late campaign, for zeal, activity, and judgment, require the favorable opinion of a *junior* in military science, I would beg leave to superadd to its testimony the *results* of the *violation* of his plan of campaign, and the approbation of the Executive and the officers of the volunteers of Georgia.

Deposition of Major General J. W. A. Sanford, formerly of the Georgia line, taken by the Judge Advocate the 17th of December, 1836.

1. *Question by General Scott.* In what capacity or station did the witness serve in the recent war against the hostile Creek Indians; and what was about the number of the Georgia line, under the orders of the witness (say) on the 20th of June last?

Answer. On the 27th of May last I was appointed by his excellency Governor Schley, of Georgia, to the command of the Georgia militia, ordered to rendezvous at or below Columbus; and, in a few weeks thereafter, to the entire command of all the militia called out to defend its western frontier. From the time I was thus invested with the command up to the period (the 20th of June) when I was ordered by Major General Scott to descend the east bank of the Chattahoochie, there had probably arrived thirty-five hundred men. This number had, however, been so far reduced by the policy which had been adopted, in guarding the passes of the river, that, when I received this order, there were not exceeding twenty-one or two hundred men in my camp.

2. *Question by General Scott.* Up to about the time that the witness marched with a part of his division towards the place called Roanoke, with a view of crossing the Chattahoochie into the enemy's country, what portion of the division in the vicinity of Columbus, and above, had received arms and accoutrements, and what portion was without arms and accoutrements?

Answer. Of the troops remaining under my immediate command, less than one-third were armed, and these variously and indifferently with shot-guns, rifles, and muskets. Our miserable deficiency in this respect was most strikingly displayed to my view, when, upon the occasion of an alarm, and it was expected the enemy would be upon us in full force, I had the mortification of beholding within my lines fifteen or sixteen hundred men with no weapons of defence beyond their side-arms, clubs, and club-axes.

3. *Question by General Scott.* Prior to the witness's march from Columbus down the country, (say) about the 21st of June, had not the greater part of his division, having arms and accoutrements, been previously distributed along the left bank of the Chattahoochie, in order to defend the Georgia settlements, and to prevent the enemy from escaping across that stream in the direction of Florida?

Answer. The weak and almost defenceless condition of my camp, alluded to in my last answer, in a great measure resulted from our efforts to guard the east bank of the Chattahoochie, to restrain the enemy from crossing that stream, to prevent him from preying upon Georgia, and escaping to Florida. The men were no sooner armed than they were despatched in that direction for this purpose.

1. *Question by General Scott.* Was the number of armed men of the Georgia line, retained in the vicinity of Columbus (say) up to the 21st of June, more than was deemed necessary, at the time, to guard that place and the unarmed men in the witness's camp or camps?

Answer. The number of troops (Hoxey's battalion) stationed at Columbus for the protection of that place, considering its commercial importance and the number of lives and amount of property at stake, was not more than sufficient for that object. Many, indeed, doubted its adequacy in this respect, in the event that the enemy had attacked that place.

5. *Question by General Scott.* Was any time lost, after the arrival of arms, about the 21st of June, in putting the whole disposable force of Georgia in movement for active operations?

Answer. Not one solitary moment was lost or delayed, after arms were put into the hands of the men, in marching directly to the point whence it was intended that active operations should commence against the enemy. Such, indeed, was the anxiety of General Scott to put the troops in motion, and so promptly was he seconded by their enthusiasm, that a portion of them, who had received muskets alone, marched to Roanoke without any accoutrements whatever.

6. *Question by General Scott.* Does the witness know, did he hear, or had he reason to believe at the time, that a single white inhabitant or white person was murdered in the Creek country by the Indian enemy, between the arrival of General Scott at Columbus, and the commencement of active operations under his orders on the west side of the Chattahoochee?

Answer. The witness does not know, nor does he remember to have heard of any white person being killed on the west bank of the Chattahoochee, by the Indians, after the arrival of General Scott at Columbus; on the contrary, he believes that such were the consternation and alarm created by the first outbreaking of hostilities, that all who had any reason to believe themselves endangered by the proximity of the Indians immediately fled from their homes to places deemed secure against their approach: this was particularly the case with those who had established settlements south of the Federal road. The nation below this point was decidedly hostile, and this fact was universally known. I cannot, therefore, conceive any one so reckless of life as to be guilty of the suicidal folly of remaining, when its destruction was inevitable.

7. *Question by General Scott.* Had the whole of the white inhabitants of the then Creek country, not previously murdered by the hostile Indians, evacuated that country before the arrival of General Scott at Columbus, about the end of May?

Answer. I consider this question already answered in my reply to the last interrogatory.

8. *Question by General Scott.* What, in the opinion of the witness, were the relative advantages or disadvantages between a plan of operations, beginning on a line at or a little above Irwinton, and below the hostile Creeks, and acting up the country; and beginning (say) on a line from Tuskegee to Fort Mitchell, above the greater number of the enemy, and thence operating down the country?

Answer. The principal advantage which the former would have over the latter of the two plans proposed in this question, would be (the passes of the river being properly defended) that if a competent force were introduced below the enemy, his retreat into either Georgia or Florida would be effectually cut off. By constantly advancing upon him upwards, he would be daily restricted to less and less space; and as he receded from our approach, he would of necessity, from the nature of the country, be compelled to occupy ground in every respect favorable to our troops, until, hemmed in and pressed at every point, he would be forced either to an unconditional surrender, or to fight with but little prospect of success; and if defeated, with no hope of escape. The navigation of the river

promised also to be a powerful auxiliary in this system of operation, by furnishing supplies in a short time at any given point between Fort Gaines and Columbus, whence, if it became necessary, they could be readily transported into the interior of the nation. By the contrary movement—that is, commencing at Tuskegee, and progressing towards Fort Mitchell—this advantage would have been lost; and whether you would get in gunshot of the hostile party, would depend entirely upon their inclination. If the experiment of waiting your approach was considered too hazardous, free from all apprehension as he would move *downward*, he would consult his safety in his flight, and every step that he would thus take would be attended with accumulating difficulties in the pursuit; for experience has demonstrated that, after reaching the dense swamps of Georgia and Florida, he would have been scarcely less secure than if defended by regular intrenchments and fortifications. Independently of the embarrassments likely to be thus produced, the movement of the troops downwards in the summer months, so far as it might affect their health and efficiency, was liable to objections not applicable to that made in a different direction.

9. *Question by General Scott.* If the whole disposable force of Georgians, Alabamians, and regulars, with the friendly Indians acting as auxiliaries, had been placed in line below the enemy, and had operated up the country, whilst the frontier settlements of Georgia and Alabama were guarded by competent detachments, is it not probable that fewer of the enemy would have escaped across the Chattahoochie in the direction of Florida, than actually did so escape; and also that the war would have been earlier finished than it actually was?

Answer. Had the first plan of operations, alluded to in my last reply, been fully adopted, the troops now mentioned would have been able to have carried it out. The enemy being encompassed in every direction by superior numbers, defeated in his hopes of escape, and defeated in the field, must have immediately sued for peace; and the war would have very probably terminated without those straggling parties which invaded Georgia the latter part of July last.

10. *Question by General Scott.* Is it not probable or certain that the movement of General Jesup, and the forces under his immediate orders, from Tuskegee upon Fort Mitchell, and from that line below, before all the other forces (upon the Chattahoochie) were ready to take their positions on that river and the base-line below the enemy, put the enemy upon the endeavor to escape in the direction of Florida, and led to the many severe conflicts which took place on the soil of Georgia?

Answer. The Indians were doubtless apprized of the great force assembled upon the borders of the nation, and must have watched its movements with great anxiety. Any demonstration in the direction of their camp must have brought them at once to a determination in their course of conduct. The very near approach of General Jesup, therefore, whilst it may have perhaps intimidated a portion of them into a surrender, certainly admonished those who were disinclined to that measure of the necessity of a retreat; and they did retreat a few days thereafter, through the lower part of Georgia, murdering men, women, and children, before they were themselves overtaken and beaten.

11. *Question by General Scott.* Which of the two plans of operation—that of operating with the whole disposable force, under the general command of the said Scott, upwards, from a line below the enemy, and be-

gimming (say) about the 25th of June; and the plan pursued by the said Jesup, viz: beginning an isolated movement (say) about the 12th of the same month, from Tuskegee towards Fort Mitchell, and thence operating down the country—would, in the opinion of the witness, have the sooner terminated the war, by the capture of the great body of the enemy?

Answer. I consider this question answered in my reply to the 8th interrogatory.

12. *Question by General Scott.* Will the witness be pleased to state his recollection of the length and degree of the said Scott's illness, at Columbus, in the month of June, 1836?

Answer. I do not recollect the precise duration of General Scott's illness whilst at Columbus. He was attacked a few days after he arrived there, and was confined to his bed for several days. During this time, I had more than once occasion to visit him, and generally found him prostrate; his feelings greatly distressed at his situation, and at the continued delay of the arms which had been ordered to that place. Upon the latter subject he spoke with great emphasis; and his mind was so much worried at the disappointment, that I did not doubt that his own anxiety in this respect had a tendency to protract his illness.

13. *Question by General Scott.* Is the witness aware that the said Scott, in any particular, when not ill in bed, failed in point of zeal or judgment, in the direction of the war against the hostile Creek Indians?

Answer. The plan of operations devised by General Scott, was, in my opinion, founded in great wisdom; and I know of no instance in which he wanted zeal, energy, or judgment, in any measure essential to its entire success.

14. *Question by General Scott.* With a reasonable doubt whether the volunteers and draughts of Alabama would come under the rules and articles of war, and into the service of the United States, was it not more important not to commence active operations until all the volunteers and draughts of Georgia, on the Chattahoochie frontier, should receive arms and accoutrements, and the greater part of the regulars expected should arrive?

Answer. The great extent of frontier to be protected, the uncertain number of the enemy to be encountered, and the scale of operation laid down, rendered it proper that we should not commence active operations until our troops were armed and in sufficient force to occupy every point where their presence might be found to be necessary.

15. *Question by General Scott.* Is the witness aware of any failure on the part of the said Scott, to hasten, by all the means in his power, the arrival of the arms and accoutrements necessary for the Georgia quota of troops?

Answer. In the frequent conversations which ensued between General Scott and myself, upon the subject of arms, his feelings seemed to be absolutely tortured by their non-arrival. He spoke of the frequent and urgent solicitations he had made to those in whose care they were intrusted, to have them forwarded with all possible expedition; and I recollect, when it was reported that the wagons containing them were not as near us as they should have been, from the length of time they had been upon the road, he despatched a special messenger, with orders to have them move by night and day, until they should arrive at Columbus.

Deposition of Major Marcus D. Huson, of Georgia, taken by the Judge Advocate the 17th of December, 1836.

1. *Question by General Scott.* In what capacity was the witness with the army on the Chattahoochie in May and June last, and where principally stationed ?

Answer. Under the appointment of the Governor of Georgia, I acted as quartermaster and commissary to the volunteers and draughted militia assembled on the Chattahoochie, principally at Columbus, in May and June last, till the arrival, in the early part of June, of the disbursing officers of the United States army; and subsequently, I assisted them in the performance of their duties.

2. *Question by General Scott.* Had the witness occasion in that period to purchase, for the troops, rations for men and forage for horses ?

Answer. I had.

3. *Question by General Scott.* What resources remained within — days' reach of Columbus for men and horses, which it was possible to purchase even at high prices, as late as the 17th of June last ?

Answer. I could have purchased a limited supply of flour and bacon in Columbus, such as had been previously bought up by speculators for the express purpose of selling to the commissary department; but both were so damaged as to be unfit for use. The resources of Columbus and its vicinity, in provisions and forage of good quality, up to the 9th of June, were so far exhausted that it took the wagons from six to ten days to make the trips to and from the places where the articles were to be found in the neighboring country.

Captain C. A. Waite, of the 2d regiment of infantry, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows :

1. *Question by General Scott.* Where, and in what capacity, were you on duty in June last ?

Answer. I arrived at Columbus on the 9th of June, and from that time until the 10th of July I was on duty at that place as the senior officer of the quartermaster's department.

2. *Question by General Scott.* What does the witness recollect of his being sent for by General Scott, on the receipt of the news that General Jesup was approaching Fort Mitchell, (say) on the 17th of June; and what passed between the witness and General Scott at that interview ?

Answer. I recollect being questioned by General Scott at that time (I think I was sent for by the general) in relation to the supplies of forage, &c., of the quartermaster's department. In answer, I stated that the quantity of forage on hand at that time was not more than sufficient for two or three days' consumption. From the supplies on hand I was directed to send to Fort Mitchell a supply, for the Alabama troops, of some 400 or 500 bushels of corn. I recollect General Scott's stating that the movement of General Jesup was contrary to the original plan of the campaign, and that his arriving there without supplies would be the means of retarding the operations of the Georgia troops. General Scott expressed much anxiety to commence the campaign immediately, and appeared much embarrassed by the movement made by General Jesup.

3. *Question by General Scott.* Does the witness recollect what directions were given on the same occasion to Lieutenant McCrabb, the assistant commissary of subsistence?

Answer. I recollect that Lieutenant McCrabb was directed to forward supplies of provisions to Fort Mitchell for the Alabama troops, and that they were forwarded.

4. *Question by General Scott.* Does the witness recollect that Lieutenant McCrabb had any difficulty in obtaining the subsistence then forwarded, or that that officer had had any difficulty just before in obtaining articles for the subsistence of the troops at Fort Michell, prior to the arrival of General Jesup?

Answer. I don't know what difficulty Lieutenant McCrabb there had in procuring the supplies then forwarded to General Jesup. I recollect hearing Lieutenant McCrabb say that he found difficulty in procuring some parts of the ration; but whether it was prior or subsequent to the time alluded to in this question, I am unable to say. At the time I was at Columbus I was the only regular officer of the quartermaster's department, and my duties were so exceedingly arduous, that my time was entirely engrossed in attending to the duties of my particular department; so much so, that I knew very little of what was doing in the other departments.

5. *Question by General Scott.* At the period referred to, had any subsistence arrived by way of the Chattahoochie or Ockmulgee rivers, or by land, from Augusta?

Answer. No supplies had arrived at that time by the way of the Ockmulgee, nor am I aware that any had arrived by the way of the Chattahoochie. Supplies had arrived from Augusta, but I am not able to state the quantity.

Owing to the absence of witnesses, this case was laid over to a future day, and the Court adjourned.

MONDAY, JANUARY 16, 1837.

The Court met, pursuant to adjournment. All present.

The Judge Advocate here presented to the Court the following depositions:

Deposition of the honorable William C. Dawson, of the House of Representatives.

1. *Question by General Scott.* In what capacity did you serve in the late campaign against the hostile Creek Indians, and on what particular duty, from early in June, 1836, to about the 20th of that month?

Answer. I commanded a volunteer company. The particular duty which I was ordered to perform, (and the orders were given me in a few hours after I reported to headquarters,) was, to take the command of a detachment composed of "the Fanche volunteers" (my company) and a part of the Columbus artillery company, go immediately aboard the steamer *Metamora*, and cruise up and down the Chattahoochie, and prevent the hostile Creeks from crossing, either to plunder or escape, or for any other purpose, and to destroy all their canoes, batteaux, flats, rafts, &c. I was also directed to call at the stations on the river, and render them any aid or assistance they might require, and communicate to them

any discovery I might make in passing up and down the river. In this particular service I remained until about the 20th of June. Other detachments were on the same service.

2. *Question by General Scott.* As far as may be known or believed by the witness, what portion of the Georgia line, *with arms*, was placed in defensive positions on the left bank of the Chattahoochie, including the companies engaged in cruising on that river on board of steamers; what portion retained in the vicinity of Columbus for the defence of that city; and the *unarmed* troops of the same line; and was the portion of *armed*, so retained, greater than was generally deemed necessary for the two latter objects?

Answer. I cannot positively say what portion of the Georgia line, *with arms*, was placed in defensive positions on the left bank of the Chattahoochie river, including the companies engaged in cruising on that river on board of steamers. *All* were placed in defensive positions on the left bank of the river, which were not retained in the vicinity of Columbus, for the protection of that place and the troops *who had no arms*. The portion retained was not greater than was generally deemed necessary for that purpose.

3. *Question by General Scott.* Was any time lost in pushing detachments (regulars and volunteers) from the neighborhood of Columbus down the left bank of the Chattahoochie, to take up defensive positions, in proportion to the arrival of armed companies and of arms to be distributed; and was any time lost, after the arrival of arms for the remainder of the Georgia line, in putting in march, for active operations on the side of the Chattahoochie, the whole disposable force, regulars and volunteers?

Answer. When I reached Columbus with my company, I found energy and despatch in the organization of the army, and in ordering to defensive positions *all* that prudence would permit to be sent, reserving a sufficiency of arms to protect an *unarmed army*, and defend the city of Columbus. My company being chiefly armed, having carried the arms with it, I was ordered immediately into active service. Some of my men being unarmed, I had to select muskets from a few old ones found in Columbus. So soon as the arms arrived, regulars and volunteers were put in motion.

4. *Question by General Scott.* Did the witness once, or oftener, hear General Scott develop, for inquiry and information, his plans for defensive and offensive operations, on the eastern, western, and southern sides of the enemy, including all the forces, Georgians, Alabamians, and regulars; and will the witness please state his opinion of those plans?

Answer. I heard General Scott, I think more than once, develop his plans for the campaign, and the way he intended to conduct it, for inquiry and information. His plans for offensive and defensive operations then were considered best calculated to effect the objects intended. At the time his plans were presented to me, I thought them correct, and still think so, for I know of nothing to change that opinion.

5. *Question by General Scott.* Supposing the eastern and southern sides of the enemy to have been sufficiently guarded to prevent his escape in either of those directions, and the western side sufficiently guarded for the protection of our settlements—which was the better plan of offensive operations; to begin (say) about the 25th of June, at the south,

just below the enemy, and with our whole disposable force, Georgians; Alabamians, regulars, and friendly Indians, operate upwards; or to begin (say) about the 12th of June, on the line from Tuskegee to Fort Mitchell, nearly above the whole of the enemy, and with the Alabamians and friendly Indians operate downwards?

Answer. In my opinion, "upwards."

6. *Question by General Scott.* To what does the witness principally attribute the many partial and successful attempts of the enemy to force their way across the Chattahoochie in the direction of Florida, between the 12th and 25th of June?

Answer. To the movements of that portion of the troops which had been stationed at Tuskegee, I then partly attributed the many attempts (which seem to have been frequently successful) of the Indians to force their way across the Chattahoochie. The march of that portion of the army I then thought put in motion the Indians, and hastened their efforts to escape towards Florida. This is my opinion.

7. *Question by General Scott.* Which of the two plans stated in the fifth interrogatory would probably have best prevented parties of the enemy from escaping across the Chattahoochie, and have the sooner terminated the war, or the capture of the greater number of the enemy?

Answer. "Upwards."

8. *Question by General Scott.* Is the witness aware, from personal observation or otherwise, that General Scott failed in any instance in point of judgment, zeal, or activity, as the director of the late war against the hostile Creek Indians?

Answer. General Scott's conduct during the late campaign against the hostile Creeks was marked by zeal and activity, and the result of that campaign has evinced his judgment and foresight.

Sworn to before S. Burch, justice of peace, Washington, D. C., 6th January, 1837.

Deposition of his Excellency William Schley, Governor of the State of Georgia.

1. *Question by General Scott.* About what time, at what place, and accompanied by what general officer of the army, did General Scott, on his way to the then Creek country, wait on your excellency?

Answer. On the evening of the 28th of May, 1836, Major General Scott and Major General Jesup, of the United States army, called on me at the Executive office, in Milledgeville, Georgia.

2. *Question by General Scott.* At that interview, does the witness recollect any conversation respecting the plan of campaign, or of operations, (first suggested in a letter to the witness, dated May 26th,) which General Scott thought it probable he would find it the best to adopt against the Creek enemy; and what were the principal features of that plan?

Answer. During that interview, I stated to Generals Scott and Jesup my views and opinions in regard to the proper course to be pursued against the Creek Indians, which was this: that the troops should be placed on the line of the Chattahoochie, on the Georgia side, in numbers sufficient to prevent the escape of the enemy to Florida; and that no demonstration should be made on him in Alabama, until his retreat to Florida should be by these means effectually cut off. When I had thus

stated my opinion, General Scott expressed to General Jesup his surprise and satisfaction that he, (General Scott,) at Savannah, General Jesup at Augusta or at Washington, (I do not recollect which,) and the Governor of Georgia at Milledgeville, should all, without concert or consultation, have determined on the same plan of operations. If General Jesup made any reply, I do not now recollect it. In a letter addressed me by General Scott, dated at Savannah, on the 26th of May, the following language is contained: "I presume it will be best to assemble the great body of our forces as low down as Irwinton, and operate thence up the country." This course of operation, when the river should have been sufficiently guarded, I approved as the proper plan; and the events of the war have satisfied me that, if our views had been carried out, much human life would have been saved.

3. *Question by General Scott.* Upon the development of the said Scott's suggested plan of operations, did one or more individuals present remark that it was a singular coincidence that such had been his or their own preconceived plan or notion on the subject; and who was that individual, or who were those persons?

Answer. The substance of this question is answered in my answer to the second interrogatory. I understood, during the conversation, that there was no disagreement between the two generals and myself. If General Jesup did not in so many words agree with us, he certainly did not express any dissent, and thereby left me under the impression that he approved the plan.

4. *Question by General Scott.* With what army officers did your excellency proceed from Milledgeville to Columbus, in May last; and did any similar conversation and concurrence of views on the same subject take place between the same parties on the route to Columbus, or after their arrival at that place?

Answer. On the morning of the 29th of May, 1836, I left Milledgeville in the public stage for Columbus, in company with Major General Scott, Major General Jesup, Major E. Kirby, and, I think, Captain Parrott. During the journey, we spoke freely of coming events, and the proper course to be pursued in regard to the campaign; and, as far as I could understand the views of the officers, we all concurred in opinion.

5. *Question by General Scott.* Was not the same plan of campaign frequently developed in conversation by the said Scott at Columbus, in the presence of Major General Jesup, and many others; and did the said Jesup, before his departure west from Columbus, at any time, although the subject was always proposed for discussion, intimate any modification of or objection to that plan?

Answer. The plan was spoken of in Columbus; and if General Jesup disputed, or made any different proposition, I did not know or hear it.

6. *Question by General Scott.* Did the said Scott, in all his orders, instructions, conversations, and arrangements, as far as they were known to the witness, steadily adhere to the same plan of operations, up to the time when it became known to the witness and said Scott that the said Jesup had with his forces, or a great part of them, approached Fort Mitchell from Tuskegee?

Answer. Major General Scott made no alteration in the original plan of operations, but steadily adhered to it, as far as I know or believe, until after General Jesup's movements in Alabama.

7. Question by General Scott. What, in the opinion of your excellency, were the relative advantages or disadvantages between a plan of operations beginning on a line at or a little above Irwinton, and below the hostile Creeks, and acting up the country; and beginning (say) on a line from Tuskegee to Fort Mitchell, above the greater number of the enemy, and operating down the country?

Question 8, by the same. If the whole disposable force of Georgians, Alabamians, and regulars, with the friendly Indians acting as auxiliaries, had been placed in line below the enemy, and had operated up the country, whilst the frontier settlements of Georgia and Alabama were guarded by competent detachments, is it not probable that fewer of the enemy would have escaped across the Chattahoochie in the direction of Florida than actually did so escape, and also that the war would have been earlier finished than it actually was?

Question 9, by the same. Is it not probable or certain that the movement of General Jesup, and the forces under his immediate orders, from Tuskegee upon Fort Mitchell, and from that line below, before all the other forces upon the Chattahoochie were ready to take their positions on that river, and the base-line below the enemy, put the enemy upon the endeavor to escape in the direction of Florida, and led to the many severe conflicts which took place on the soil of Georgia?

Question 10, by the same. Which of the two plans of operation—that of operating with the whole disposable force under the general command of the said Scott, upwards, from a line below the enemy, and beginning (say) about the 25th of June, and the plan pursued by the said Jesup, viz: beginning an isolated movement, say about the 12th of the same month, from Tuskegee towards Fort Mitchell, and thence operating down the country—would, in the opinion of the witness, have the sooner terminated the war, by the capture of the great body of the enemy?

Answer to the 7th, 8th, 9th, and 10th questions. These questions all relate to the same matter, and ask my *opinion* of the probable effect of a different course from that pursued by General Jesup. It is an unpleasant task to give an opinion on a subject of which I cannot be supposed to know much *scientifically*. But as I felt a deep interest in the events of the war, and had much to do with the plans and arrangements of the campaign, I feel that I cannot be justly charged with presumption in saying that I believe the plan of cutting off the retreat of the enemy to Florida, and attacking him from below, and driving him up the country, would have been decidedly preferable to a movement such as General Jesup made from Tuskegee through the nation in the direction of Fort Mitchell; because, by having the river properly guarded, and attacking the enemy below, he would have been compelled to a conflict or capitulation; whereas the other course left him free to fight or retreat through a sparsely-populated country to Florida, as a considerable portion did, when it was known that the army under General Jesup was in motion. But, if there had been concert of action between the two divisions of the army, so that both would have moved at the same time, the one down the Chattahoochie on the Georgia side, and the other from Tuskegee down on the western side of the Creek nation, and a junction had been formed below the hostiles, (in the mean time having left a sufficient force on the line of the Chattahoochie to guard the passes to Florida,) I believe that the war would have been sooner effectually closed, and with less

bloodshed ; for, in the retreat of the Creeks through the lower counties of Georgia, many families and persons were murdered.

11. *Question by General Scott.* How were the rooms, occupied respectively by the witness and the said Scott, situated, in respect to each other, when the latter happened to be in Columbus, in May, June, and July, 1836 ?

Answer. Major General Scott and I occupied the second story of a house in Columbus during the time he remained there. There were two rooms, with a door between them. I occupied the eastern or front room. and he the western or back room. The weather was extremely warm ; the middle door was generally open, and we had mutual access to each other's room, without ceremony.

12. *Question by General Scott.* Had your excellency any reason to believe that, when within your reach, the said Scott withheld from your knowledge any important paper or information received by him, or that he withheld from you any important letter or order written by him or in his name ?

Answer. I had no reason to believe that General Scott withheld from me any facts, letters, orders, or information of any kind connected with or having relation to the Creek war. On the contrary, I believe he concealed nothing from me on that subject.

13. *Question by General Scott.* Does your excellency recollect being shown a letter from the said Jesup to the said Scott, dated on the waters of the Hatchychubby, June 17th, in which it is said : " I would have struck the enemy to-night, but for your letter ; if he is not struck to-morrow morning, he will escape for the present ; " which letter was in reply to instructions from the said Scott to the said Jesup, " to stop all offensive movements (if you are in command) on the part of the Alabamians, until the Georgians are ready to act, (say) on the 21st instant, when the greater number of them will be armed and ready for the field ? "

Answer. I remember seeing a letter written by General Jesup to General Scott, containing the substance of the remarks quoted, but cannot remember the date or the precise words used, and that it was in reply to General Scott's order to stop all offensive movements.

14. *Question by General Scott.* Has the witness reason to know (and how ?) that that instruction, from the said Scott to the said Jesup, was disobeyed ; and the effect upon the enemy, if any, of such disobedience ?

Answer. This question I am unwilling to answer, unless it should be necessary to do so for the purposes of justice ; because, whatever information I may possess on the subject was received at a time and place that, in the ordinary intercourse among gentlemen, may be considered as forbidding a disclosure, except it be absolutely necessary to the protection of innocence.

15. *Question by General Scott.* Does the witness recollect that letters were written, both by him and the said Scott, about the 31st of May, to his excellency Governor Clay, of Alabama, on the subject of co-operation against the hostile Creek Indians ; and, if the witness retained a copy of his letter to that Governor, will he have the goodness to annex it to the answer he may give to this interrogatory ?

16. *Question by the same.* Before the 8th of July, when the said Scott left Columbus for the North, had the witness received any reply to the said letter written by him to the Governor of Alabama ?

Answer to 15th and 16th questions. I have a distinct recollection that General Scott and I wrote to the Governor of Alabama on the 30th of May, on the subject of co-operating against the enemy. No answer was received by me, and I learned from General Scott that he had received none. After my return to Milledgeville, I inquired of Governor Clay, in a letter I addressed him on another subject, whether he had received mine of the 31st of May; to which he replied that he had, and that he should have answered it, "but for the want of any safe and direct communication between Montgomery and Columbus, and for the further reason that the management of the war had then devolved on Generals Scott and Jesup, which seemed to render any further correspondence between us upon that subject unnecessary."

17. *Question by General Scott.* Did not the said Scott frequently express, in conversations with the witness, much regret and some surprise that neither of the two had received any reply to, or acknowledgment of, the letters written by the witness and the said Scott to the Governor of Alabama about the end of May?

Answer. Yes; we frequently talked of the matter, and were at a loss to account for the silence of Governor Clay. This, however, has been explained to me, as stated in my answer to the 15th and 16th interrogatories.

18. *Question by General Scott.* Does the witness recollect, in any letter from the said Jesup to the said Scott, written from Tuskegee, an expression of a doubt to this effect: "I have not *yet* obtained the command of the troops; *but, if I obtain it at all*, I shall probably enter on duty to-morrow;" and was it not rendered still doubtful, from the oral reports made to the witness and the said Scott by several officers and others who accompanied the said Jesup from Columbus to Tuskegee, whether the Alabama volunteers and draughts would consent to be mustered into the service of the United States, and come under the orders of the said Jesup?

Answer. I do remember the remarks quoted from General Jesup's letter, written at Tuskegee, I think, on the 8th of June; and General Scott and I were in doubt, from that letter and the statements of several gentlemen who accompanied General Jesup as an escort to Tuskegee, whether he had obtained the command of the Alabama troops, until General Scott received his letter giving an account of his march from Tuskegee towards Fort Mitchell.

19. *Question by General Scott.* Has the witness received a letter from General Jesup, enclosing another to the witness, said to have been written some time before, but not sent; and will the witness be pleased to annex a copy of the first letter here alluded to, in answer to this interrogatory?

Answer. Yes, I have received such letter, a copy of which is annexed. (See docs. Nos. 267, 268.)

20. *Question by General Scott.* Will the witness be pleased to state his recollection of the length and degree of the said Scott's illness at Columbus, in the month of June, 1836?

Answer. General Scott was attacked with fever a few days after his arrival at Columbus, and was confined to his room and bed for ten or twelve days—the precise time not recollected; during a part of which he was considered by his physicians very ill, so much so that I was request-

ed by one of them to prevent persons from going into his room, as they considered it necessary to his recovery that he should be kept quiet, and not permitted to be excited by conversation.

21. *Question by General Scott.* Is the witness aware that the said Scott, in any particular, when not ill in bed, failed, in point of zeal or judgment, in the direction of the war against the hostile Creek Indians before mentioned?

Answer. I am perfectly satisfied that General Scott was not, at any time, wanting in zeal or judgment in conducting the Creek war, except when he was so ill in bed that he could not act at all. I believe that his great anxiety to labor in the cause had a tendency to protract his confinement; and when he mounted his horse and took the field, I thought him physically unable to do so without great hazard.

22. *Question by General Scott.* With a reasonable doubt whether the volunteers and draughts of Alabama would come under the rules and articles of war, and into the service of the United States, was it not more important not to commence active operations until all the volunteers and draughts of Georgia on the Chattahoochie frontier should receive arms and accoutrements, and the greater part of the regulars expected should arrive?

Answer. With the great uncertainty in regard to the course of the Alabama troops, and the situation of General Jesup, I considered it all-important that the whole of the Georgia troops should be prepared to take the field. And, even if we had known that General Jesup had command, and was ready to act, I should, with my views of the proper course to be pursued, have deemed it proper to wait for arms to supply the troops on the eastern side of the Chattahoochie, that they might guard the passes to Florida, and co-operate with General Jesup in attacking the enemy in Alabama, after a junction was formed between the troops of the two States below the enemy.

23. *Question by General Scott.* Is the witness aware of any failure, on the part of the said Scott, by all the means in his power, to hasten the arrival of the arms and accoutrements necessary for the Georgia quota of troops?

Answer. No. On the contrary, every thing was done that could be: for, when the arms did not arrive as soon as we expected, General Scott employed and sent Mr. Crowell, an active and intelligent young man, in pursuit of them, with instructions to get other wagons as lighters, and to force them on with all possible speed; which he did.

Sworn to the 3d January, 1837, before

D. B. MITCHELL,
Justice of the inferior court, Baldwin county.

Lieutenant William H. Betts, of the 1st regiment of artillery, a witness on the part of Major General Scott, being duly sworn, was interrogated as follows:

1. *Question by General Scott.* In what capacity did the witness serve in the Creek war with General Scott, and between what periods?

Answer. At the request of Major General Scott, I joined him at Columbus, Georgia, about the 2d of June, 1836, and acted in the capacity as aid-de-camp to that general from that time (though not placed in orders

to that effect until about the 20th of June) in all his operations against the Creek Indians, until the 6th of July, when he was recalled.

2. *Question by General Scott.* What does the witness know, or what was reported at headquarters, on the subject of accidents happening to steamboats with arms, ammunition, accoutrements, and other army supplies, between Darien and Hawkinsville, which caused delays in June last?

Answer. It was reported at the headquarters of Major General Scott, at Columbus, that a steamboat loaded with arms, accoutrements, and other army supplies, had burst her boiler in the month of June, on the Ockmulgee river, between Darien and Hawkinsville, some distance below the latter place; that, in consequence, the agent of the quartermaster's department at Hawkinsville had to hire another boat that had been laid up for the summer, to cause it to be refitted, and despatched down the river after the above-named supplies. Much time was delayed in the arrival of the news of the accident at Hawkinsville, and for the other boat to reach the scene of disaster to the transfer of the arms. It was also reported that another boat, similarly laden, had met with an accident between Darien and Hawkinsville, that delayed, for several days, her arrival at the latter place.

3. *Question by General Scott.* What does the witness remember of his being, by General Scott's instruction, about to proceed on the road to Hawkinsville, to hasten on the arms and accoutrements to Columbus; and what prevented the witness from proceeding on that service?

Answer. Unaccountable delay having been experienced in the arrival of the arms expected by the way of Hawkinsville, I was directed by General Scott, about the 18th of June, to proceed on the road to Hawkinsville, by day and night, until I should meet the train of wagons, by which they were being conveyed to Columbus, and to hasten their arrival by every possible means. I had mounted my horse to execute this order, when Major Beard arrived in the public stage from Hawkinsville, by the way of Macon. He assured both General Scott and myself that he had the most perfect confidence in the zeal and activity of the conductor: that their arrival could not be expedited by my trip, and that they would certainly be there in two or three days. They did not, however, arrive until about a week from this time.

4. *Question by General Scott.* What does the witness remember of any delay that subsequently occurred in transporting the same arms, accoutrements, &c., from Hawkinsville, in wagons to Columbus?

Answer. I have stated in my third answer that they did not arrive until three or four days after the expected time; the reason assigned for which, on the arrival of the train, was a letter written by Major General Irwin, of the Alabama militia, to Brigadier General Wilcox, of Georgia, who had been charged with the protection of the district of country on the route of the enemy to Florida. This letter stated that about two thousand hostile Creek Indians had crossed the Chattahoochee, and were laying waste the lower counties of Georgia, murdering men, women, and children indiscriminately. On the appearance of this letter in the public journals, the inhabitants of this portion of the State fled for protection to the interior. The conductor of the train from Hawkinsville was seized with the same panic, and changed his direction so as to pass entirely above

the supposed enemy, thereby delaying the arrival of the arms some three or four days.

5. Question by General Scott. On receiving despatches from General Jesup, about the 17th of June, what does the witness remember of Mr. Waite and Mr. McCrabb (the quartermaster and the commissary) being sent for to come to headquarters; and what passed between General Scott and those officers on that occasion?

Answer. On the receipt of a letter from Major General Jesup, about the 17th of June, Major General Scott sent for Lieutenant Waite and Lieutenant McCrabb, assistant quartermaster and assistant commissary, at Columbus, and questioned them with reference to the supply of forage and provisions on hand, and what amount they could probably furnish the troops under the command of General Jesup; to which Lieutenant McCrabb replied that he had but a small supply of provisions on hand, and that he had nearly exhausted the market in furnishing the troops at Fort Mitchell, and on the river below, with provisions. General Scott directed him, in the strongest terms, to use every exertion to supply the troops under the command of General Jesup, and, if necessary for this purpose, to place the Georgia troops on half or quarter rations.

6. Question by General Scott. What does the witness remember of the state of the roads and bridges between Augusta and Columbus, and between Hawkinsville and Columbus, in June last?

Answer. I recollect distinctly that much rain fell in the month of June; and know, from personal observation, that the road between Columbus and Augusta was in very bad condition.

Major General Scott having requested until Friday, the 20th instant, to prepare his final address, the Court adjourned to that day at 10 o'clock, A. M.

JANUARY 20, 1837.

The Court met, pursuant to adjournment. All present.

The following deposition of F. P. Blair, Esq., was here presented to the Court :

1. Question by General Scott. Is the deponent one of the editors of the newspaper called *The Globe*, published at Washington city?

Answer. Yes.

2. Question by General Scott. In *The Globe*, dated September 26th, 1836, there is a letter addressed to the deponent, and signed "Th. S. Jesup," followed by four others, signed respectively "Winfield Scott," "Th. S. Jesup," "Winfield Scott," and "Th. S. Jesup," with notes to the two signed "Winfield Scott." Was the first of the five letters written by Major General Jesup; did the five, with the notes mentioned, constitute one or more communications for publication, and by whom were they communicated?

Answer. All the letters alluded to were received through the mail from General Jesup. The first, this deponent believes, was written by him; the rest communicated at the request of this deponent. For this request, the reasons are assigned in the editorial preface to the publication. They were, doubtless, sent with an expectation that they would be published.

3. *Question by General Scott.* If the letters, with the notes mentioned, were not expressly communicated for publication, was permission to publish them impliedly given, and by whom?

Answer. The letters, with the notes, this deponent understood, (from their communication, in compliance with the request for the copies,) he had the permission of General Jesup to make public; but the publication was made on the responsibility of this deponent. He published them as an act of justice to General Scott as well as to General Jesup, having published General Jesup's letter referring to them, with editorial remarks also referring to them. General Scott had written a letter to a friend, which he was authorized to show to this deponent, speaking of this as an unjust course to him, and calculated to prejudice his cause before the country and the Court. This deponent conceived there was no other mode in which he could repair the wrong, but that of publishing the correspondence between the parties. Although he had not the express direction of either for doing so, he supposed, from the circumstances alluded to, that he had the implied consent of both.

4. *Question by General Scott.* It is stated in *The Globe*, dated August 8, 1836, under the editorial head, in reference to "General Scott's orders and letters," that "some were sent to us for publication, as we understood, at his instance." Will the deponent be pleased to inquire into and state the grounds of this *understanding*?

Answer. This deponent occasionally received articles from the War Department, introducing letters and despatches from General Scott, of which the following, prefacing the letter inculcating Major Read, is an example: "As an act of justice to General Scott, we publish the following official letter, recently received at the War Department, from that officer." The impression made by the phraseology, that the publication was required as "an act of justice" to General Scott, was, that he had requested it as due to him from the Department. This impression, growing out of frequent communications from the Department, explanatory of General Scott's conduct of the war, was confirmed by a brief conversation with Major Van Buren, in relation to the publication of the letter which speaks so harshly of Major Read. Falling in casually with Major Van Buren in the street, after a few words between him and deponent in relation to the contents of that letter, he inquired if it would appear in the *Globe*. He was told that it had not yet been communicated to the editor for that purpose. He said he hoped the publication would be *countermanded*. This deponent understood him to mean *countermanded* by some subsequent letter from General Scott. Upon inquiry of General Jones, this deponent is now informed that he (General Jones) and Major Van Buren both thought the publication likely to produce unpleasant consequences, and expressed an opinion against the publication; but that it was ordered, notwithstanding, by the Secretary of War, who said he thought General Scott expected its publication. This statement will explain the misunderstanding of facts under which the article of the *Globe* of the 8th of August, 1836, was written; in which it is said of the publication made of General Scott's orders and letters, that "some were sent to us for publication, as we understood, at his instance."

Sworn to the 17th of January, 1837, before

ROBERT GETTY,
Justice of the Peace.

The testimony having here closed, Major General Scott made the *Address* which accompanies these proceedings; after which, the Court adjourned this case to a future day.

JANUARY 30, 1837.

The Court met, pursuant to adjournment. All present.

The Court proceeded to pronounce its Opinion in the foregoing case, as follows :

Upon a careful examination of the abundant testimony taken in the foregoing case, the Court is of opinion that no delay, which it was practicable to have avoided, was made by Major General Scott in opening the campaign against the Creek Indians. On the contrary, it appears that he took the earliest measures to provide arms, munitions, and provisions, for his forces, who were found almost wholly destitute ; and as soon as arms could be put into the hands of the volunteers, they were, in succession, detached, and placed in a position to prevent the enemy from retiring upon Florida, and whence they could move against the main body of the enemy as soon as equipped for offensive operations.

From the testimony of the Governor of Georgia, of Major General Sanford, commander of the Georgia volunteers, and many other witnesses of high rank and standing, who were acquainted with the topography of the country and the position and strength of the enemy, the Court is of opinion that the plan of the campaign adopted by Major General Scott was well calculated to lead to successful results, and that it was prosecuted by him, as far as practicable, with zeal and ability, until recalled from the command, upon representations made by Major General Jesup, his second in command, from Fort Mitchell, in a letter bearing date the 20th of June, 1836, addressed to F. P. Blair, Esq., at Washington, marked "*private*," containing a request that it be shown to the President; which letter was exposed and brought to light by the dignified and magnanimous act of the President, in causing it to be placed on file in the Department of War, as an official document, and which forms part of these proceedings. (See document No. 214.) Conduct so extraordinary and inexplicable on the part of Major General Jesup, in reference to the character of said letter, should, in the opinion of the Court, be investigated.

ALEX. MACOMB, *Major General,*
President of the Court.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

Continuation of the Proceedings of the Court of Inquiry in the case of Major General Scott, in reference to the delay in opening and prosecuting the Creek campaign.

FREDERICK, FEBRUARY 18, 1837.

The Court met, pursuance to notice. All present.

The President of the Court submitted the following communications :

WAR DEPARTMENT, February 15, 1837.

SIR: I have the honor to enlose a copy of the Opinion of the President of the United States on the Proceedings of the Court of Inquiry of which you are President, relative to the campaign against the Creek Indians; and, in compliance with the direction at the close thereof, to transmit, herewith, those Proceedings, with the documentary evidence referred to therein, for the further action of the Court.

Very respectfully, your most obedient servant,

B. F. BUTLER,
Secretary of War ad interim.

Maj. Gen. ALEXANDER MACOMB,
President of the Court of Inquiry, &c.

P. S. The Proceedings and a portion of the documents accompany this. The balance of the documents (except Nos. 204 and 209, which will be sent to-morrow) are in a separate package, and sent by the same mail.

(COPY.)

The President has carefully examined the Proceedings of the Court of Inquiry recently held at the city of Frederick, by virtue of Orders Nos. 65 and 68, so far as the same relate to the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in the year 1836; and has maturely considered the Opinion of the Court on this part of the subject referred to it.

The Order constituting the Court directs it, among other things, "to inquire and examine into the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in the year 1836, and into every subject connected with the military operations in the campaign aforesaid; and after fully investigating the same, to report the facts, together with its opinion on the whole subject, for the information of the President."

It appears from the Proceedings, that, after the testimony of nine witnesses had been received by the Court, and after more than one hundred documents bearing on the subject had also been produced in evidence, and after Major General Scott had addressed the Court on the subject, the Court proceeded to pronounce its opinion, as follows:

"Upon a careful examination of the abundant testimony taken in the foregoing case, the Court is of opinion that no delay, which it was practicable to have avoided, was made by Major General Scott in opening the campaign against the Creek Indians. On the contrary, it appears that he took the earliest measures to provide arms, munitions, and provisions for his forces, who were found almost wholly destitute; and as soon

as arms could be put into the hands of the volunteers, they were, in succession, detached, and placed in position to prevent the enemy from retreating upon Florida, and whence they could move against the main body of the enemy as soon as equipped for offensive operations.

"From the testimony of the Governor of Georgia, of Major General Sauford, commander of the Georgia volunteers, and many other witnesses of high rank and standing, who were acquainted with the topography of the country and the position and strength of the enemy, the Court is of opinion that the plan of campaign adopted by Major General Scott was well calculated to lead to successful results, and that it was prosecuted by him, as far as practicable, with zeal and ability, until recalled from the command, upon representations made by Major General Jesup, his second in command, from Fort Mitchell, in a letter bearing date the 20th of June, 1836, addressed to F. P. Blair, Esq., at Washington, marked '*private*,' containing a request that it be shown to the President; which letter was exposed and brought to light by the dignified and magnanimous act of the President, in causing it to be placed on file in the Department of War as an official document, and which forms part of these proceedings. (See document No. 214.) Conduct so extraordinary and inexplicable on the part of Major General Jesup, in reference to the character of said letter, should, in the opinion of the Court, be investigated."

The foregoing Opinion is not accompanied by any report of the *facts* in the case, as required by the Order constituting the Court; on the contrary, the facts are left to be gathered from the mass of oral and documentary evidence contained in the Proceedings; and thus a most important part of the duty assigned to the Court remains unexecuted. Had the Court stated the facts of the case, as established to its satisfaction by the evidence before it, the President, on comparing such state of facts found by the Court with its Opinion, would have distinctly understood the views entertained by the Court in respect to the degree of promptitude and energy which ought to be displayed in a campaign against Indians—a point manifestly indispensable to a correct appreciation of the opinion, and one which the President's examination of the evidence has not supplied, inasmuch as he has no means of knowing whether the conclusions drawn by him from the evidence agree with those of the Court.

The Opinion of the Court is also argumentative, and wanting in requisite precision, inasmuch as it states that "*no delay, which it was practicable to have avoided, was made by Major General Scott* in opening the campaign against the Creek Indians," &c.; thus leaving it to be inferred, but not distinctly finding, that there was some delay, and that it was made by some person other than Major General Scott; without specifying in what such delay consisted, when it occurred, how long it continued, nor by whom it was occasioned. Had the Court found a state of facts, as required by the Order constituting it, the uncertainty now existing in this part of the Opinion would have been obviated, and the justice of the Opinion itself readily determined.

That part of the Opinion of the Court which animadverts on the letter addressed by Major General Jesup to F. P. Blair, Esq., bearing date the 20th of June, 1836, and which presents the same as a subject demanding investigation, appears to the President to be wholly unauthorized by the Order constituting the Court, and by which its jurisdiction was confined to an inquiry into the causes of the delay in opening and prosecuting the

campaign against the hostile Creeks, and into such subjects as were connected with the military operations in that campaign. The causes of the recall of Major General Scott from the command, and the propriety or impropriety of the conduct of General Jesup in writing the letter referred to, were not submitted to the Court as subjects of inquiry. The Court itself appears to have been of this opinion, inasmuch as no notice was given to General Jesup of the pendency of the Proceedings, nor had he any opportunity to cross-examine and interrogate the witnesses, nor to be heard in respect to his conduct in the matter remarked on by the Court.

For the several reasons above assigned, the President disapproves the Opinion of the Court, and remits to it the Proceedings in question, to the end that the Court may resume the consideration of the evidence, and from the same, and from such further evidence as shall be taken, (in case the Court shall deem it necessary to take further evidence,) may ascertain and report, with distinctness and precision, especially as to time, place, distances, and other circumstances, all the facts touching the opening and prosecuting of the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836, and the military operations in the said campaign; and touching the delay, if any there was, in the opening or prosecuting of said campaign, and the causes of such delay; and to the end, also, that the Court, whilst confining its opinion to the subject-matters submitted to it, may fully and distinctly express its opinion on those matters, for the information of the President.

The Secretary of War *ad interim* will cause the Proceedings of the Court, on the subject of the campaign against the Creek Indians, with the documentary evidence referred to therein, and a copy of the foregoing Opinion, to be transmitted to Major General Alexander Macomb, President of the Court, for the proper action thereon.

ANDREW JACKSON.

WASHINGTON, *February* 14, 1837.

The Court, in proceeding to give the facts upon which its Opinion is founded, would respectfully state, that the Proceedings and Opinion of the Court were made up in the usual form, and according to the rule of service, and were transmitted to the Secretary of War, accompanied by all the testimony offered in the case; which testimony contains all the facts brought to the notice of the Court, and upon which the Opinion of the Court was founded. But, in obedience to the directions of the President, the Court has proceeded to state the facts embraced in the testimony, both documentary and oral, referring to "time and place, distances, and other circumstances," and which will be found in the following Synopsis:

DOCUMENTARY TESTIMONY.

On the 23d of May the Secretary of War instructs General Jesup to station a sufficient force at the south point of the Creek nation, to prevent the retreat of the Indians to Florida, &c. (Doc. 161.)

On the 25th of May General Scott arrives at Augusta, on his way to take the direction of the war. (Doc. 164.)

On the 26th he informs the Governor of Georgia that he has ordered essential stores from Picolata, St. Augustine, Charleston, and Savannah, &c., which will be immediately shipped to Hawkinsville, on the Ockmul-

gee, within 75 miles of Fort Mitchell; has also ordered 250,000 complete rations from New Orleans to the highest navigable point on the Chattahoochee, and shall take measures for the supply of 200 bushels of corn-meal daily on the same river. Ten wagons, loaded with subsistence, will leave Augusta for the same destination to-morrow; a small detachment of recruits has arrived at Augusta from the North. (Doc. 165.)

On the 27th May appoints Major Beard agent of quartermaster's stores, and sends him to Hawkinsville to hasten on supplies, &c., and to purchase subsistence. (Doc. 167.)

On the 31st May, Major Baden, in charge of the arsenal at Augusta, notifies General Scott that he has turned over to the quartermaster at Augusta, on the requisition of Governor Schley, 1,000 muskets, to be sent to Columbus. (Doc. 168.) No ammunition or flints appear to have been sent with these arms, although the Governor's requisition (Doc. 169) calls for them.

On the 29th May Quartermaster Dimmock notifies General Scott that 10 wagons, with supplies, left Augusta the day previous; anticipates difficulty in procuring wagons, in forwarding supplies, &c. Captain Monroe's company arrived at Augusta from the North; the companies of Major Pierce's command, with Monroe's, have 75 days' subsistence with them; this will require 5 wagons per company. The rifles ordered from Charleston, *via* Savannah, left Charleston on the 27th. Major Garland directs that camp equipage be furnished from Savannah: there is none there; 300 wagons will be required to forward all the supplies on. (Doc. 171.)

On the 2d June General Scott informs the Adjutant General that he arrived at Columbus on 30th May; the troops are being mustered into service; the frontier of Georgia above and below Columbus is guarded to prevent escape of the Indians towards Florida, &c.; shall take additional measures, by employing a steamer, hourly expected, with a company on board, and by pushing some mounted companies 50 or 60 miles below; supposes 1,500 Georgia troops to have arrived on the frontier, distributed over a line of 40 miles on the river; as many more expected; companies arrive daily; all are not expected before the 12th—perhaps 15th. The Governor of Alabama, with about an equal number, will be ready to march upon the enemy by the 5th; doubts if he has subsistence for more than 5 days. No magazines on the Georgia side; the supplies precarious, which state of things must continue at least 8 days longer, when 100,000 rations from Picolata, St. Augustine, Savannah, and Charleston, may begin to arrive from Macon and Hawkinsville by wagons; the supplies from New Orleans can't arrive before the 20th; late, long, and heavy rains in this quarter have injured the roads. General Jesup leaves to-morrow (3d June) for Montgomery. If we fight the Indians with inferior numbers, we shall probably beat them, but with a great loss of valuable lives on our part; if we wait for the arrival of all our forces, and until we have ample means of subsistence secured for 20 days in advance, the war may be successfully terminated on our part with but small loss of lives. This consideration has great weight with General Scott, and has been developed to Governor Clay. A delay of 10 days has therefore been urged. (Doc. 172.)

On the 28th May Governor Clay invites the co-operation of the forces on the Georgia side by the 5th June. (Doc. 173.)

On the 31st May General Scott notifies Governor Clay that 1,000 reg-

ulars are expected to begin to arrive at Columbus in 8 days; learns that on the 29th some individuals were murdered, and several houses burnt on the Georgia side; is opposed to all premature operations; forces must first be assembled and organized, magazines established, &c. In 10 or 15 days every thing will be in readiness on this side; gives his plan of campaign, and proposes how the Alabama troops shall co-operate. (Docs. 174, 175.)

On the 1st June General Scott instructs General Jesup to proceed to Montgomery, &c., and take command of the Alabama troops, and operate up the country from a point below Irwinton. (Doc. 176.)

On the 3d June General Scott directs Captain Harding, in charge of the Mount Vernon arsenal, Alabama, to send to Columbus 4 pieces of ordnance complete, 150 rounds of cannister for each, 3,000 stands of muskets complete, 100,000 rounds of musket cartridges, and 50,000 flints. (Doc. 178.)

On the 14th Captain Harding replies that he has not the articles; that the Governors of Alabama and Florida have completely exhausted his stock, &c., the former having received 6,800 muskets, 4 six-pounders, &c.; has sent General Scott's requisition to Baton Rouge arsenal, to be supplied from thence. (Doc. 179.)

June 3. Further instructions to Major Beard at Hawkinsville to hasten on supplies, &c. (Doc. 180.)

June 2. Quartermaster Dimmock reports 24 wagons, with provisions, on the road from Augusta to Columbus, also 5 companies of regulars; finds it difficult to get wagons, &c. (Docs. 182, 183.)

June 3. Quartermaster Dimmock directed to forward no more subsistence from Augusta to Columbus, the state of the roads and difficulty of procuring transportation, &c. The country about Columbus not yet exhausted, and the 100,000 rations ordered by the Ockmulgee will begin to arrive in 7 days. (Doc. 184.)

June 5. Major Beard, at Hawkinsville, reports the difficulty of sending on the supplies; none have yet arrived at that place, (Doc. 186,) and none arrived as late as 8th June. (Doc. 188.)

June 10. General Jesup reports to the Secretary of War that he shall move against the enemy to-morrow or next day; has 900 Alabama volunteers, and expects to be joined on his route by 500 mounted men and 200 Indians, and hopes to strike the enemy in less than 5 days, (Doc. 190;) shall occupy a position on Fort Mitchell road, 20 miles in advance, and there await the arrival of the Indian warriors, or, if he can find the enemy, attack him immediately. The country almost without supplies; none of those ordered yet arrived, &c. (Doc. 191.)

June 10. Further instructions from General Scott to Major Beard to hasten on the supplies, &c.; rifles, musket accoutrements, and tents, much needed to complete the equipment of the troops, a portion of whom are without arms and shelter; General Scott extremely anxious on the subject. (Doc. 192.)

June 10. General Scott writes to General Jesup that, for want of arms, accoutrements, &c., it will be impossible for the Georgians to commence operations from the neighborhood of Irwinton in eight or ten days; nor even then, unless the arms, &c., should arrive. The regulars are advancing from Augusta; all but a small detachment of marines had reached that place at the last dates; has more than doubled the force placed in the

lower counties of Georgia to prevent the Creeks from crossing to the Seminoles. (Doc. 193.)

June 12. General Scott writes to the Adjutant General that he has been quite sick since the 2d, but expects to be on horseback to-morrow. Has 3,300 Georgia volunteers, but not more than one-third armed; no accoutrements in any of the Southern arsenals; expects in 6 or 8 days to arm and equip the whole of the Georgia forces; and as a respectable number of regular troops may be expected by that time, shall lose no time in commencing active operations. The Alabamians represented to be well armed in muskets, but without accoutrements, cartridges, and flints. As he has been able to obtain *armed* men, has sent off detachments to guard the left bank of the river; some pushed below the country occupied by the Creeks on the opposite bank; some of the middle detachments have, within 8 or 10 days, been surprised by small parties, and the advantage has been against us; has two steamers constantly cruising on the river, &c. (Doc. 194.)

June 11. Major Baden reports certain ordnance and ordnance stores arrived at Augusta from Charleston, (Doc. 195,) which he is directed to send immediately to Columbus. (Doc. 196.)

June 11. Lieutenant Deas directed to proceed with all possible haste to Hawkinsville, and send forward immediately all the rifles, muskets, accoutrements, &c., that may be there, or on their way to Columbus; also, tents and equipage, &c. (Doc. 197.)

June 12. Lieutenant Heintzelman, at Hawkinsville, reports the arrival of supplies at that place for the army; has just loaded ten wagons; will supply General Wilcox's force of 260 with arms and provisions; impossible to get sufficient number of wagons, &c. (Doc. 198.)

June 14. General Scott reports to the Adjutant General that he is still held inactive from the non-arrival of arms, ammunition, &c.; has reason to hope they will arrive in a few days from Hawkinsville, with subsistence in abundance, and from Augusta. Nearly all the Georgians ordered (a little more than 3,000) already on the frontier; but the greater number of companies have come without arms and accoutrements. As fast as the mounted corps can be armed, shall send them down on the Georgia side as low as Irwinton, where he shall commence operations. The first company of regulars arrived yesterday, and four or six may be expected to-morrow, and the whole, including marines, may be expected in a week; has not, however, been waiting for them, but for arms and accoutrements for the militia; is without advices from Governor Clay or General Jesup, and is doubtful whether the Alabama forces will come into the service of the United States; they are not prepared to take the field, being in want of ammunition and flints; learns that General Moore, with 750 mounted Alabamians, has arrived at Irwinton, and thinks of commencing operations forthwith; shall write to him to wait his arrival in that quarter. (Doc. 199.)

June 16. J. Crowell reports the wagons, with arms and ammunition, on the way, and may be expected in Columbus by the night of the 19th, &c.; difficulty of procuring wagons, &c. (Doc. 201.)

June 16. Major Beard reports from Macon that 21 wagons and one howitzer are on their way from Hawkinsville, with a great portion of the musket accoutrements, and all the rifles; no ammunition found on board

of either boat. The marines are in the neighborhood, and will pass through in the morning. (Doc. 202.)

June 17. General Scott reports to the Adjutant General from Columbus that the troops are impatient to move, and so is he, but cannot without arms, ammunition, and subsistence, which they shall have by the 21st; no time has been lost since the arrival of arms, &c., at Hawkinsville; the delay occurred with the transportation line between Darien and that point; caused agents to be stationed at both places, and has reason to believe they have been active and pushing; as to arms coming from Augusta, the distance (220 miles) and the badness of the roads, rendered worse by the storms of rain the last of May and the beginning of June, have caused the delay; has no experienced staff officer. (Doc. 203.)

June 18. General Scott reports to the Adjutant General that he is embarrassed by the unlooked-for arrival at Fort Mitchell of General Jesup's forces. If the subsistence from Savannah via Darien should not begin to arrive to-morrow, all the troops must, in consequence of this movement, be put on short allowance; General Jesup entirely out of position; wants him at Irwinton, in order that he may operate *up* instead of *down* the country, but knows not how to get him there without crossing and re-crossing the river. This will create great delay, &c. (Docs. 205, 206.) General Jesup wants subsistence for his forces, and will be obliged to go to Fort Mitchell, and asks General Scott to supply him there. (Doc. 207.) General Scott distressed at his arrival there; the difficulties in supplying him, &c.; sends all he can command. (Doc. 208.)

June 21. One thousand muskets arrived last night, and have been issued to the troops, who will immediately march for the mouth of the Cow-ag-gee creek, on the Chattahoochie, below the enemy. The accoutrements (expected to-morrow) will be sent after them; 500 rifles expected with the accoutrements, and a battalion of mounted men will remain to receive them. The delay in the arrival of these supplies has been owing to steamboat accidents, and the difficulty of procuring wagons. The horse will probably overtake the foot; shall march with the former. The enemy are above the Cow-ag-gee creek; if so, shall cross the troops to Alabama side at that point. A battalion of artillery marched down on this side of the river yesterday; another follows closely. The first detachment of marines will be here to-morrow, and will immediately take the same route, and so with the remaining detachments of regulars. After leaving the necessary guards on the left bank of this river, above, and particularly below Columbus, may have left about 2,000 Georgians besides the regulars, that may be up in time for commencement of active operations, together with 100 friendly Indians. Shall now be obliged to give General Jesup instructions to act *downwards* from his position, simultaneous with the forces to be landed below the enemy. (Doc. 209.)

June 23. Sets out in a few minutes to overtake General Sanford. Accoutrements and rifles will not be here (Columbus) in two or three days, the conductors of the wagon-train having took a panic, and turned from the direct road, &c. General Sanford has with him about 150 unarmed men; has reason to believe the enemy is imbedded between the Hatchychubby and the Cow-ag-gee creeks; shall cross the river below the latter; is confident no Indians have yet escaped across the Chat-

tahoochie towards Florida, &c. The first detachment of marines just arrived. (Doc. 215.)

June 22. Lieutenant Heintzelman, at Hawkinsville, reports the arrival of stores at that place, and shall forward them immediately in wagons. (Doc. 224.)

June 24. General Scott at Fort Mitchell reports to the Adjutant General that he left Columbus yesterday, and is here to consult with General Jesup. General Jesup, and many of the officers with him, consider the war as nearly over. They estimate that there only remain out some 150 hostile warriors under Jim Henry, besides Neomico's party, who have for some time stood fast in their camp, in a state of neutrality. They will probably soon surrender themselves. They are nearer Tuskegee than the Chattahoochie. There must be about 1,000 who are yet to come in or be subdued. The hostiles are among the most desperate of the nation; they are between the Hatchychubby and Cow-ag-gee creeks, and hope to escape to Florida, &c., but which is impossible, from the means adopted to guard the river. The Georgia line, and two battalions of regulars below, will cross below the enemy, and scour the country upwards, whilst General Jesup moves with his forces down, &c. The flats for crossing the river will pass down to-day. The movements of General Jesup; the strong guards placed on the river below, rendering escape towards Florida hopeless; and the large assemblage of troops all around the Creek country, showing that their early subjugation was inevitable, have caused the early surrender of the hostile parties who have come in. Besides those who gave themselves up to the Alabamians and friendly Indians, between 50 and 70 came in to this place previously without any escort. The number of warriors now in confinement here is more than 300, &c. (Docs. 237, 238, 239.)

June 26. General Scott, opposite Roanoke, directs General Jesup to discharge the Alabamians, except a detachment of mounted men, to escort the Indian prisoners as far as the dense settlements of Alabama, whence the Indians may be escorted to the Mississippi by the regulars, &c. (Doc. 241.)

July 2. General Scott, at Fort Mitchell, reports to the Adjutant General that he has just returned from Irwinton; represents the movements of the troops below, &c. It is thought that there cannot be in the late Creek country more than 40 or 60 hostile warriors; some of these have sent word that they will soon be here, &c. Nineteen hundred prisoners will be emigrated as soon as the streams shall have subsided, &c. Detachments have been sent in pursuit of some of the hostiles who have crossed the river in the direction of Florida, &c. (Doc. 243.)

July 4. Just returned from Roanoke, where he made arrangements for closing the campaign, &c. (Doc. 248.)

July 6. (At Columbus) reports the Indians who had retreated towards Florida overtaken and surrounded in a swamp, &c. (Doc. 249.)

June 25. The Secretary of War directs General Scott to dispose his force so as to prevent the Creeks from retiring towards Florida, &c. (Doc. 255.)

June 28. General Scott recalled. (Doc. 256.)

July 8. General Scott turns over the command to General Jesup. (Doc. 258.)

ORAL TESTIMONY.

Testimony of Major Kirby.

Accompanies General Scott from St. Augustine, 21st of May. (Question 1.) General Scott's plan of campaign concurred in by Governor Schley and General Jesup. (Question 3.) On 26th of May General Scott directs Major Baden to furnish certain arms and ordnance stores, and instructs Quartermaster Dimmock to forward them without delay to Columbus. (Question 9.) Up to the time witness left General Scott at Columbus, (17th June,) he manifested great and incessant solicitude for the arrival of the necessary arms and other supplies to enable the troops to take the field. (Question 12.) Soon after leaving St. Augustine, General Scott informed witness that he had, previously to leaving that place, ordered all the surplus arms and accoutrements at St. Augustine and Picolata to be sent to the Chattahoochie. (Question 13.) General Scott manifested constant anxiety for the arrival of the arms and accoutrements, and used every means in his power to hasten it. (Question 14.) Witness mustered into service 45 companies of the Georgia troops early in June; they were generally entirely destitute of arms and accoutrements; the few arms they had were generally unfit for service in the field. (Question 15.) The Georgia troops had nearly all arrived at Columbus by the 12th of June. Some arms had arrived previously, and had been placed in the hands of the militia, who were ordered immediately to take post below Columbus, on the Chattahoochie. (Question 1, by the Court.) The troops who brought arms were immediately sent to take post on the Chattahoochie, below Columbus, and occupied several positions on the left bank of the river. Ammunition for them was purchased in Columbus. Their arms were of different calibre, and not in order. They had no accoutrements, no fixed ammunition, no equipage, no adequate supply of provisions. (Question 2, by the Court.) The Georgia militia, already armed by the 17th of June, were not sufficient in numbers to guard the left bank of the Chattahoochie, and at the same time to operate against the enemy in his own country, successfully. The Georgia troops were fully occupied on the left bank of the Chattahoochie, below Columbus, in repelling the efforts of the enemy to escape across the river in the direction of Florida. (Question 16.) When witness arrived with General Scott at Columbus, (30th May,) there was a destitution of all supplies. Subsistence was purchased from day to day in the streets of Columbus and the neighboring country. Camp-kettles, mess-pans, tents, and haversacks were made, and scows for crossing the river constructed; all the powder and lead to be found in the place was purchased, made into cartridges, and distributed to the militia. (Question 17.)

Colonel Kenan's testimony.

The importance of cutting off the retreat of the enemy to Florida, preparatory to any offensive movement upon him, to secure which it was General Scott's plan to station troops upon the eastern bank of the Chattahoochie, from a point 18 or 20 miles below Columbus, to Roanoke; the reasons for this plan given. (Question 2.) General Scott strictly adhered to his plan of operations, till General Jesup arrived at Fort Mitchell, with

his forces. (Question 5.) General Scott discharged his duty with great zeal and judgment. (Question 7.)

General Sanford's testimony.

States the amount of his force (3,500) and its disposition. (Question 1.) Less than one-third of the troops were armed, and those variously and indifferently, with shot-guns, rifles, and muskets. On an occasion of an alarm, when the troops were paraded, there were 1,500 or 1,600 men, with no other weapons of defence beyond their side-arms, clubs, and club-axes. (Question 2.) To restrain the enemy from crossing the stream, to prevent him from depredating upon Georgia, and escaping to Florida, the men were no sooner armed than they were despatched in that direction, for that purpose. (Question 3.) The number of troops stationed at Columbus, up to the 21st of June, was not more than sufficient to protect lives and property. (Question 4.) Not a solitary moment was lost or delayed after arms were put in the hands of the men, in marching directly to the point where it was intended active operations should commence against the enemy. (Question 5.) If the plan of operations alluded to in the last reply had been fully adopted, the troops would have carried it out. The enemy, encompassed in every direction, &c., must have immediately sued for peace. (Question 9.) General Scott quite ill at Columbus, a few days after his arrival there; confined to his bed; feelings greatly distressed at the continued delay of the arms ordered to that place; doubted not but that his over-anxiety in this respect tended to protract his illness. (Question 12.) The plan of operations devised by General Scott was, in witness's opinion, founded in great wisdom; and knows of no instance of his want of zeal, energy, or judgment, in any manner essential to its entire success. (Question 13.) The great extent of frontier to be protected, the certain number of the enemy to be encountered, and the scale of operations laid down, rendered it proper that we should not commence active operations until our troops were armed, and in sufficient force to occupy every point where their presence might be found to be necessary. (Question 14.) In free conversations with General Scott on the subject of arms, his feeling seemed to be absolutely tortured by their non-arrival. He spoke of the frequent and urgent solicitations he had made to those to whose care they were intrusted, to have them forwarded with all possible expedition. He despatched a special messenger with orders to have them move night and day, until they should arrive at Columbus. (Question 15.)

Major Huson's testimony.

Purchased rations and forage. Could have purchased a limited supply of bacon and flour, in Columbus, such as had been previously bought up by the speculators for the purpose of selling to the commissioners, but both were so damaged as to be unfit for use. The resources of Columbus and its vicinity in provisions and forage of good quality, up to the 9th of June, were so far exhausted, that it took the wagons from six to ten days to make the trips to and from the places where the articles were to be found in the neighboring country. (Questions 2 and 3.)

Captain Waite's testimony.

States the difficulty of supplying General Jesup's forces at Fort Mitchell with provisions, forage, &c. from Columbus. (Questions 2, 3, 4, 5.)

The honorable Mr. Dawson's testimony.

Was employed on board of a steamboat with a company of artillery, cruising up and down the Chattahoochie, to prevent hostile Indians from crossing, and to destroy their canoes and rafts; remaining on this service to 20th June; other detachments were employed on the same service. (Question 1.) The volunteers were all placed in defensive positions, on the left bank of the Chattahoochie, and in cruising on the river on board of steamboats, which were not retained in the vicinity of Columbus for the protection of that place. (Question 2.) When he reached Columbus with his company, found energy and despatch in the organization of the army. As soon as arms arrived, regulars and volunteers were put in motion. (Question 3.) Thought General Scott's plans for offensive and defensive operations to be correct, &c. (Question 4.) The plan of operating *upwards* preferable, &c. (Question 5.) To the march of the troops from Tuskegee he attributes the attempts of the Indians to force their way across the Chattahoochie, &c. (Question 6.) Thinks the plan of operating *upwards* would have best prevented the enemy from crossing the Chattahoochie, and sooner terminated the war. (Question 7.) General Scott's conduct during the campaign was marked by zeal and activity, and the result of the campaign has evinced his judgment and foresight. (Question 8.)

Governor Schley's testimony.

States his views and opinions given to General Scott and General Jesup in regard to the proper course to be pursued against the Creek Indians, and the concurrent views of General Scott. (Question 2.) Was under the impression General Jesup approved the plan of campaign of General Scott. (Question 3.) Travelled in company from Milledgeville to Columbus, in May, with General Scott, General Jesup, and Major Kirby; spoke freely of the coming campaign, and, as far as he understood the views of the officers, all concurred in opinion, &c. (Question 4.) General Scott made no alteration in his original plan, &c. (Question 6.) Gives his reasons why a movement *up* the country was preferable to that *down*, &c. (Questions 8, 9, 10.) General Scott was confined to his room and bed, soon after his arrival at Columbus, for ten or twelve days, and his physicians considered him very ill, &c. (Question 20.) General Scott was not wanting in zeal or judgment in conducting the Creek war, except when he was so ill in bed that he could not act at all, &c. (Question 21.) The importance of waiting until the Georgia troops were armed, before acting, &c. (Question 22.) Every thing was done by General Scott to hasten the arrival of the arms; he sent Mr. Crowell to hasten them on, &c. (Question 23.)

Lieutenant Bett's testimony.

States that a steamboat, loaded with arms and accoutrements and other army supplies, had burst her boiler on the Ockmulgee, between Darien

and Hawkinsville, and the delay occasioned thereby in refitting and despatching another boat down the river after said supplies; also, an accident to another boat similarly laden, consequent delay, &c. (Question 2.) Was ordered about 18th June on the road to Hawkinsville, to hasten the train of wagons with supplies, &c. (Question 3.) The delay of arrival of arms for three or four days, caused by a report of the Creek Indians having crossed the Chattahoochie, causing a panic to the drivers, &c. (Question 4.) States the condition of the roads and bridges to have been bad, &c. (Question 6.)

After a careful review of the testimony which contains the facts on which the Court has formed its opinion, above recited, the Court is compelled, by a conscientious sense of duty, to adhere to the opinion already given as to the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama against the hostile Creek Indians, in 1836.

The Court, in expressing its opinion that "no delay which it was practicable to have avoided was made by Major General Scott," had reference to the impracticability of collecting arms and munitions for the volunteers, as early as they were assembled and mustered into service, in consequence of the accidents which happened to steamboats, by which part were being conveyed; the difficulty of procuring wagons, by which others were transported, and the badness of the roads, rendered particularly so at the time by heavy rains. In support of which, the Court refers particularly to documents No. 171, 172, 182, 183, 184, 186, 192, 197, 198, 201, 203, 209, and 215; and to General Sanford's answer to the 15th interrogatory, Governor Schley's answer to the 23d interrogatory, and to the whole of Lieutenant Bett's testimony.

ALEX. MACOMB, *Major General,*

President of the Court of Inquiry.

S. COOPER, *Judge Advocate,*

Recorder of the Court.

FURTHER PROCEEDINGS OF THE COURT IN THE FOREGOING CASE.

WASHINGTON, MARCH 2, 1837.

The Court met pursuant to notice. All present.

The following Order from the War Department was laid before the Court:

DEPARTMENT OF WAR, *March 2, 1837.*

To Major General MACOMB, *President of the Court of Inquiry directed to be convened at Frederick, Md., by General Order No. 65.*

SIR: You will reassemble the Court of Inquiry, in the city of Washington, in order that it may reconsider and review the proceedings in the cases of the campaigns in Florida, and in the Creek nation, conducted by Major General Scott, so as to embrace the facts in the opinion of the Court, as required by the order of the President organizing the Court, and by his orders of the 14th and 18th of February last.

B. F. BUTLER,

Secretary of War ad interim.

In obedience to the foregoing order, the Court was occupied until the 8th of March in reconsidering and reviewing its proceedings, and in reporting the following facts :

The Court finds, from a careful review of the testimony, the following facts : That, under instructions from the War Department of the 16th May, General Scott arrived at Augusta from Florida on the 25th May, on his way to take the direction of the Creek campaign, having, previously to leaving Florida, ordered essential stores from Picolata, St. Augustine, Charleston, and Savannah, to Hawkinsville, on the Ockmulgee, within seventy-five miles of Fort Mitchell ; and had also ordered 250,000 complete rations from New Orleans to the highest navigable point on the Chattahoochie : that he despatched ten wagons with subsistence from Augusta on the 28th May, for Columbus, and appointed an agent and sent him to Hawkinsville to hasten on supplies and purchase subsistence ; that he proceeded himself to Columbus, where he arrived on the 30th May, and directed the Georgia volunteers already assembled there, about 1,500, to be mustered into service, and distributed over a line of forty miles on the river above and below Columbus, to prevent the escape of the Indians towards Florida ; and also the employment of two armed steamers cruising up and down the river for the same purpose ; that, on the 1st June he ordered General Jesup to Montgomery, to take command of the Alabama troops, and to operate up the country from a point below Irwinton ; that he was engaged in organizing the Georgia militia, and collecting supplies and arms, up to the 23d of June ; that on the 12th June there had arrived at Columbus 3,300 Georgia volunteers, but not more than one-third were armed ; that General Moore arrived at Irwinton about the 14th June, with 750 mounted Alabamians, with a view of commencing operations forthwith, but that he was instructed by General Scott to await his arrival in that quarter ; that General Jesup, unexpectedly to General Scott, arrived about the 17th June in the neighborhood of Fort Mitchell, with the Alabama forces from Tuskegee, calling on General Scott for supplies, which had not then arrived from New Orleans ; that, on the night of the 20th June 1,000 muskets arrived, and were distributed to the Georgia volunteers on the 21st June, who were immediately ordered to the mouth of Cow-ag-gee-creek, on the Chattahoochie, below the enemy ; that companies of the regular troops commenced arriving on the 14th, and to the 20th, when two battalions were marched down the river : the first detachment of marines arrived on the 23d, and marched immediately below ; the last detachment of marines arrived some days after ; that General Scott left Columbus on the 23d, to commence operations below, and was actively engaged from that time until the 6th July, when he was recalled from his command by the instructions of the President of the 28th June, and that he turned over his command to General Jesup on the 8th July.

The Court, after a full consideration of the foregoing facts, and of the testimony from which they are drawn, comes to the conclusion already expressed in its Opinion, given in the following words, to wit :

“ Upon a careful examination of the abundant testimony taken in the foregoing case, the Court is of opinion that no delay, which it was practicable to have avoided, was made by Major General Scott, in opening the campaign against the Creek Indians. On the contrary, it appears

that he took the earliest measures to provide arms, munitions, and provisions for his forces, who were found almost wholly destitute; and as soon as arms could be put into the hands of the volunteers, they were in succession detached, and placed in position to prevent the enemy from retiring upon Florida, and whence they could move against the main body of the enemy as soon as equipped for offensive operations.

“From the testimony of the Governor of Georgia, of Major General Sanford, commander of the Georgia volunteers, and many other witnesses of high rank and standing, who were acquainted with the topography of the country, and the position and strength of the enemy, the Court is of opinion that the plan of campaign adopted by Major General Scott was well calculated to lead to successful results; and that it was prosecuted by him, as far as practicable, with zeal and ability, until recalled from the command.”

ALEX. MACOMB, *Major General,*
President of the Court of Inquiry.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

MAJOR GENERAL SCOTT'S ADDRESS,

OR

SUMMARY OF EVIDENCE TAKEN IN HIS CASE.

Mr. President, and Gentlemen of the Court :

When a Doge of Genoa, for some imaginary offence, imputed by Louis XIV, was torn from his government, and compelled to visit France to debase himself before that inflated monarch, he was asked, in the palace, what struck him with the greatest wonder amid the blaze of magnificence in his view? "To find *myself* here!" was the reply of the indignant Lescaro. And so, Mr. President, unable, as I am, to remember one blunder in my recent operations, or a single duty neglected, *I* may say, that, to find myself in the presence of this honorable Court, whilst the army I but recently commanded is still in pursuit of the enemy, fills *me* with equal grief and astonishment.

And whence this great and humiliating transition? It is, sir, by the *fiat* of one who, from his exalted station, and yet more from his unequalled popularity, has never, with his high displeasure, struck a functionary of this Government—no matter what the office of the individual, humble or elevated—who was not from the moment withered in the general confidence of the American people. Yes, sir, it is my misfortune to lie under the displeasure of that most distinguished personage. The President of the United States has said, *Let General Scott be recalled, from the command of the army in the field, and submit his conduct in the Seminole and Creek campaigns to a Court for investigation*; and lo! I stand here to vindicate that conduct, which must again be judged, in the last resort, by him who first condemned it without trial or inquiry. Be it so. I shall not supplicate this Court, nor the authority that has to review the "opinion" here to be given. On the contrary, I shall proceed at once to challenge your justice to render me that honorable discharge from all blame or censure which the recorded evidence imperiously demands. With such discharge before him, and enlightened by the same mass of testimony, every word of which speaks loudly in my favor, the justice of the Commander-in-chief of the army and navy cannot hesitate. It must acquiesce; and then, although nothing may ever compensate me for the deep mortification I have been recently made to experience, I may hope to regain that portion of the public esteem which it was my happiness to enjoy on past occasions of deep moment to the power and the glory of these United States of America.

I.—THE FAILURE OF [MY] FLORIDA CAMPAIGN.

Permit me here, Mr. President, to offer a preliminary remark. If by *failure*, the common idea of *disaster*, *defeat*, or *repulse*, be understood, then that term does great injustice to me and the brave regulars and vol-

unteers whom I had the honor to command. Sir, we suffered no defeat, check, or repulse. The enemy, encountered by the several columns and detachments, were, in every instance, beaten, driven, and scattered beyond the reach of possible pursuit ;(1) and if we had chosen to imitate, in our reports, the example of many others engaged in similar operations, we might no doubt have figured much more largely in the public journals. But, in every instance, as far as I know or believe, though our affairs were numerous, and not deficient in danger and brilliancy, we always declined substituting imagination and conjecture for ascertained facts. Perhaps, by the discoveries of history, the high reputations gained before and since, by the arts alluded to, may, in time, be brought down to the humble level of myself and companions.

It is true, sir, that we did not succeed in sending off the great body of the Seminoles to the west of the Mississippi. In this object, ardently desired by all, there was certainly a failure ; and the same thing may be said of the summer and autumn campaign which followed ; although the commander or commanders—for it seems there were two, Governor Call and General Jesup—had the benefit of the knowledge of the country, and the enemy, acquired by previous operations ; the benefit of the roads recently opened ; the plans which had been essayed and suggested ; longer time for preparation and operation ; an auxiliary Indian force, which was denied me,(2) and above all, the power of inviting the enemy to surrender, and of holding negotiations. With this great power, Mr. President, I was not armed. My instructions were, *to reduce the enemy to unconditional submission* ; to hold no parley, no negotiation—not even to say, as the price of surrender, that kind treatment might be expected ; much less that the beneficial stipulations in the last treaty, in favor of those Indians, should be carried into execution by the United States—because, sir, any such assurance, on my part, would have been a *condition*.

Have my successors in Florida the “diplomatic” faculty that was withheld from me ? If the letter-writers in the newspapers are to be believed, that faculty has been either expressly conferred, or usurped with impunity. It would seem that wheedling messages have been sent to the enemy by everybody—from the two commanders down to a captain. Still no great result has been obtained ; and now another, or winter campaign has been for some time on foot, the sole director of which, besides all the advantages over me which have just been enumerated, has had from the beginning the farther prospect of ending the war by the failure of the enemy’s ammunition,(3) and the known want of long perseverance on the part of *all* Indians.

But, notwithstanding all those advantages, it would seem that, up to the last dates from Florida, not a Seminole had been sent out of the Territory since I caused four hundred to be shipped from Tampa bay. These, it is true, were called *friendly* Indians. Yet, if it had not been for the awe inspired by the presence of the army, and some little decision on my

(1) See testimony of Generals Clinch and Eustis, of Colonel Lindsay, and Captain Thurston.

(2) Doc. Nos. 83 to 92, inclusive.

(3) May 17. I wrote to Governor Call : “I will beg your excellency to urge upon Commodore Dallas the importance of keeping the revenue cutters and the smaller United States vessels constantly cruising around Florida, to prevent the escape of captured slaves, and to prevent the Indians from receiving arms and ammunition from traders.”

part, this detachment would long ere this have been merged in the great body of the nation.

But, to take up my personal movements, my arrangements, and operations, in chronological order:

Being in Washington, in January, 1836, on other duties, I was, on the 20th, sent for by the Secretary of War. I found him in his office at four o'clock, P. M. I was asked when I could set out for Florida, and answered, that night. I was told that my instructions could not be got ready for me so early. All the letters (four in number) from Governor Eaton and General Call, dated the 8th and 9th of the same month, and now in evidence, (1) had, I think, been just received. I foresaw, at once, all the difficulties and hazards of the service which was thus assigned to me, and an immense pecuniary loss that I should inevitably sustain if not in New York in a week from that time. I had, moreover, the highest confidence in the judgment and abilities of General Clinch, independent of his better knowledge of Florida, and of the enemy to be combated. I mention these circumstances, Mr. President, to show that I did not *solicit* to be sent to supersede that excellent officer. I was not, however, as a soldier, at liberty to decline any appropriate duty that might be required of me, and, of course, did *not* decline this. Accordingly, I left Washington in the night of the 21st, and, notwithstanding an accident on a railroad, by which I lost twenty-four hours, the Court will find me addressing a requisition to the Governor of South Carolina on the 29th from Columbia, and at Augusta the 30th.

At this place my occupations were numerous and important, as my letter-book, the contents of which are mostly in evidence, will show: requisitions for troops, addressed to the Governors of South Carolina, Georgia, and Alabama; letters to the Governor of Florida, to Generals Eustis and Bull, Colonel Lindsay, &c.; besides horses and wagons purchased for the United States cavalry and the general baggage-train.

On the 2d of February, it has been seen that I set out for Milledgeville, in order to confer with the Governor of Georgia, according to my instructions, on the subject of the Creek Indians. Having adopted precautionary measures in relation to the latter, I returned to Augusta, and reached Savannah on the 9th.

Here, again, I was incessantly occupied in regulating, by correspondence, the movement of the troops, and making other arrangements for the campaign, till the 20th, and might have been usefully so engaged for a week longer; but, wishing to be nearer to Generals Clinch and Eustis, with a view to more rapid communications, I reached Picolata on the 22d of February.

At this time General Clinch was at Fort Drane, with about five hundred regulars and volunteers, unmolested by the enemy, but not in strength to take the field with any prospect of advantage. I had written to him from Savannah, and he knew of the heavy reinforcements which were approaching. Two companies of Augusta volunteers, under Captains Robinson and Bones, had already reached Fort Drane, and are included in the above estimate. These two companies did not strictly make part of the Georgia quota.

(1) Documents Nos. 6, 8, 9, and 10.

General Eustis, Colonel Brisbane's regiment of South Carolina foot, and a company of Columbia volunteers, under Captain Elmore, all arrived, by water, at St. Augustine, about the 15th. This independent company (Elmore's) was over and above the quota called for from South Carolina; but, like Robinson's and Bones's, it went through the campaign with zeal and distinction.

With the volunteers under his command, and a few companies of regulars, General Eustis soon gave tranquillity and confidence to all the inhabitants between the Atlantic and the St. John's, whose dwellings and other fixtures had not been previously destroyed. No devastation was committed after his arrival.

The first battalion of Georgia foot, under Major Cooper, had also preceded me a few days. I found it at Picolata, with a company of regulars, and Colonel Bankhead in the command of both.

It was my intention, Mr. President, to have remained but a few days at Picolata—merely long enough to organize the service, to give a fixed plan of campaign, and, on the arrival of some additional troops, wagons, horses, and arms, to have commenced operations. The Court has seen, in part, what embarrassments kept me there no less than fifteen days.

The 22d of February I received, through General Clinch, the letter(1) to him, from General Gaines, dated at New Orleans, the 2d of the same month, proposing a plan of co-operation between the two generals; which letter confirmed the previous *rumor*, that a large force was to be expected at Tampa bay from New Orleans; and to this letter there is a postscript, by Governor Eaton, saying that a battalion of two hundred and fifty Floridians would sail in two days, from St. Mark's, for the same destination. To prevent too great a concentration of troops at Tampa, I instantly, by express, desired Governor Schley to keep at home the second battalion of Georgia foot that was about to proceed, by the Chattahoochie, Appalachicola, and the Gulf, to that point. Fortunately, my letter reached his excellency just in time to prevent the movement. That battalion was discharged; and but that it was too late, I should have taken a similar step in respect to the Alabama regiment which Colonel Lindsay had received my instructions to raise and to conduct to Tampa.

To show the apprehensions which General Gaines's letter excited in me at the time, and the temper in which I spoke of his movement, I beg leave, Mr. President, to embody an extract of my letter(2) to General Clinch, dated the 25th of February:

"The movement from New Orleans, although highly worthy of praise, under the circumstances, [the massacre of Dade's detachment, and General Gaines's necessary ignorance of the measures of Government,] may, if it should lead to a premature advance from Tampa, be productive of a result the most unfavorable. If the advance, for example, should fail to crush the enemy, and terminate the war—and, without mounted men, I suppose such result can scarcely be hoped for—the enemy may be scattered, and put upon his retreat to the southeast. To follow him in such retreat, might be almost impracticable; and to prevent the escape in that direction, Colonel Lindsay has my instructions in detail."

The Court has seen, Mr. President, how soon those prophetic appre-

(1) Document No. 48.

(2) Document No. 58.

hensions were accomplished ! Of course, I had not the time to communicate with General Gaines ; and Colonel Lindsay, to whom my instructions had been addressed, arrived at Tampa *after* the advance of that general.

The very next day after the above was written, and whilst I was in the act of reporting(1) to the Adjutant General, for the information of Government, among other difficulties, the means I was devising for sending farther supplies to Fort Drane, I received from General Clinch a letter(2) enclosing one(3) from General Gaines, showing that the latter was actually at Fort King on the 22d, where he arrived without subsistence, and instantly, as General Clinch reported in his letter, called for "nearly all" the provisions at Fort Drane, intending, with that supply, to return to Tampa across the Withlacoochee, near the battle-ground of the 31st of December ! I shall, in the sequel, notice the evidence which shows that General Gaines knew, at Pensacola, that I had been ordered to Florida, and that he learned(4) of General Clinch, before leaving Fort King, that I was soon expected, and with large reinforcements.

Before the receipt of those despatches, I knew that there were at Fort Drane about twenty thousand rations for men ; and, expecting to send thither, and to Fort King, in a few days, by wagons and boats, (through the Ochlawaha,) two or three times as many rations, I had, on the 24th, put Major Cooper's battalion of Georgia foot in march to join General Clinch ; intending to follow with the first company of mounted men that might arrive, and one was then daily expected. Those means of land and water transportation not being as yet at hand, all hope of early operations was now frustrated, and I was obliged to recall(5) Major Cooper's battalion, then distant two days' march over a wretched road, as it was easy to subsist the battalion on the St. John's, and infinitely difficult to do so at Fort Drane.

The same embarrassment (the arrival of the troops at Fort King from Tampa) caused me to issue the order No. 4,(6) and to write the letters(7) of February 26th and March 1st to General Clinch. He, however, had no means of sending either of those papers to General Gaines, who, I think, had marched from Fort King (twenty miles from Fort Drane) on the 25th of February.

March 2d(8) I learned, with great distress, that the Ochlawaha could not be used for transporting supplies. From a few months' disuse, this narrow, crooked, and shoaly river had become obstructed by fallen timber ; and the Indians had, at Payne's landing, near Fort King, destroyed the peculiar boats expressly constructed for that navigation. We were now reduced to the necessity of using only land transportation for about seventy tons of supplies, and over bad roads ; and I had not ordered all the wagons and horses which I should have required, but for a reliance, to some extent, on that river.

A summary of my embarrassments in respect to the means of transportation, the Court will find in the fifth paragraph of my letter(9) to the Adjutant General, dated March 9th. Of the ten or fifteen wagons therein

(1) Letter of Feb. 26, Doc. No. 47.

(2) Dated Feb. 24, Doc. No. 50.

(3) Dated Feb. 22, Doc. No. 49.

(4) Clinch's answers to interrogatories.

(5) Order No. 5, Doc. No. 56.

(6) Doc. No. 55.

(7) Docs. Nos. 59 and 60.

(8) Doc. 52.

(9) Doc. No. 71.

mentioned, and which I learned, officially, at Savannah, were ordered to be shipped from Baltimore by the Quartermaster General, in January, it seems, by the deposition of Captain Dimmock, that two of them had reached Florida in February, six about the 11th of March, and two reached Savannah about the 4th of May.(1)

As early as the 26th of February I had, however, requested (2) General Clinch to send down all the means of land transportation he could command. The train sent arrived at the point opposite to Picolata on the 2d of March ;(3) was loaded with about sixteen thousand rations, and other essential supplies, and despatched for Fort Drane the 6th. The delay in this operation was caused by the width of the river, and the violence of a long storm, which rendered it hazardous, and, a part of the time, impracticable to pass over the supplies to the wagons. The train was slightly augmented(3) by wagons and horses which had arrived principally from Charleston, via St. Augustine.

As a proof of the extreme tempestuousness of the weather, Major Gates, with a battalion of three companies of regulars, was at this time more than eight days(4) in coming from Savannah to Picolata in a good steamer, which ordinarily made the trip in less than three days.

A company (Kenan's) of Georgia mounted men arrived opposite to Picolata on the 26th of February. With this company I had intended (3) to march immediately to Fort Drane; but, with the exception of its gallant captain, Second Lieutenant Huson, and, I think, nineteen men, it refused to be mustered into the service of the United States, and returned home. Four other companies of this first battalion of Georgia horse arrived about a week later. One of them, (Allen's,) with the exception of two or three privates, followed the example of Kenan's company. Douglass's, Malone's, and Sweeney's, from the first, showed better dispositions. These only I was enabled to see, having, at the hazard of life, crossed the river in the storm for the purpose; when, after a short harangue, every man came under the rules and articles of war with loud cheers. The well-disposed men, both of Kenan's and Allen's, generally joined those companies which entered the service; and it is due to the disaffected of Kenan's to say that, having seen their error, every man, I believe, nobly served in the subsequent campaign (against the Creeks) under Captain Gaither. It is probable that many of Allen's men did the same.

The 2d of March I received, through General Clinch, General Gaines's letter(5) to him dated the 29th of February; and not another word did I hear of the troops with the latter general till the 9th of March. During this interval—nay, from his arrival at Fort King—the state of my mind, or generally my embarrassments, may be inferred from the efforts to hasten (6) the train loaded with subsistence, and from my orders and correspondence, which are in evidence, on the subject of General Gaines's movement.

The 26th of February(2) I wrote to General Clinch: "I have heard, with equal astonishment and regret, that Major General Gaines, without

(1) Deposition of Captain Dimmock.

(2) Doc. No. 59.

(3) Letter to Adjutant General, March 2, Doc. No. 52.

(4) Letter to Adjutant General, March 6, Doc. No. 68.

(5) Doc. No. 63.

(6) Testimony of Captain Van Buren.

reference to my movements—perhaps in ignorance, possibly in defiance of them—should have made a premature movement from Tampa bay; and, having arrived within twenty miles of Fort Drane, should have called for nearly three-fourths of the subsistence in deposit at that place, and on which I had relied for the movement of the right wing in concert with the other parts of the army.” * * * * “To remedy this unexpected embarrassment, I send you two copies of Orders No. 4, one of which you will despatch to the commander of the detachment from Fort Brooke, [Tampa bay,] whoever he may be, with all speed, and limit the subsistence called for from Fort Drane according to the intention of those orders.” * * * * “Major General Gaines, I presume, will have heard of the order which ought to take him to the Mexican frontier. If he should prefer to remain, he must obey my orders.”

Orders No. 4,(1) of the same date, direct that General Gaines’s detachment should remain at Fort King until further orders; that current subsistence only should be issued to the detachment; direct that the peculiar boats believed to be at Payne’s Landing should be sent to Picolata (or to meet a steamer at the mouth of the Ochlawaha) to receive subsistence; if the boats could not be sent, the troops were to march, without delay, to Volusia, on the St. John’s, whither twenty thousand rations were about to go up in a steamer, and the detachment was enjoined not to attempt any *offensive* movement, except so far as might be necessary to carry into execution these, my orders.

March 1st(2) I again wrote to General Clinch: “I regret, in every point of view, the premature and unauthorized movement from Tampa bay by that general, [Gaines,] and the very awkward and responsible position he has placed himself in by his subsequent march from Fort King.” * * * * “In any event, the responsibility of his movement and actual position is his own; for he must have known as early as the 10th ultimo, if not before, that I had been charged with the general direction of the war in Florida, and that, by interfering, he constituted himself an interloper. Even if you had sufficient stores and means of transportation, I should command you to send no subsistence to him—unless to prevent starvation; but you have neither. Let him, therefore, in time, extricate himself from the embarrassment he has placed himself in, by marching upon Volusia, where, I have no reason to doubt, that twenty thousand rations, sent hence on the 27th *ultimo*, have safely arrived. As he appears to have his retreat open to him, or is in no peril to prevent his taking that step, you, of course, will make no detachment to join him.”

This letter is an answer to one received by express, and which enclosed General Gaines’s communication to General Clinch, dated the 25th of February.(3)

In a third letter(4) that I caused to be addressed to General Clinch, March 2d, he was told, “If Major General Gaines should fall back upon Fort King or Drane, it is presumed that he will proceed to execute the orders of the Government, which will carry him to another quarter. In that event, you will be the senior officer; and I am instructed by Major General Scott to say that you are at liberty to detain the troops from

(1) Doc. No. 51. (2) Doc. No. 60. (3) Doc. No. 62. (4) Doc. No. 64.

Fort Brooke [Tampa] at either of the forts mentioned, Drane and King. Subsistence will reach you in five or six days."

A fourth letter(1) on this subject (in part) was addressed by me to General Clinch, dated March 4th, in which it is said:

"I still presume that Major General Gaines will be obliged to fall back upon Fort Drane, which increases my anxiety to send the wagons with some additions, loaded. I would prefer much that the force brought with him were back at Tampa bay, or rather that it had not marched from that place, provided that the movement fails to crush the enemy, or to terminate the war. The worst result, next to the loss of that fine body of men, or a third of it, would be the mere success of driving the enemy into the lower country, where, I suppose, it would be almost impossible for us to follow; I mean *below* the waters of Charlotte harbor. Hence my indignation that an isolated attack should have been made from your vicinity well calculated to produce that result, and at a time when you knew, and Major General Gaines must have known through you,(2) (and before,) that my plan, with ample means, was to move simultaneously upon the Withlacoochee in three columns—from Tampa bay, the upper crossing of the Ocklawaha, and Fort Drane—so as to make it impossible for the enemy to escape to the lower country."

"I have not *yet* supposed that Major General Gaines has not his retreat upon Fort Drane or King perfectly in his power. On account of subsistence, if he can cut his way through the enemy to Tampa bay, I much prefer that his force were there; and when I wished him to march or send that force to Volusia, it was because it could be infinitely more easily subsisted there than at Fort Drane. Should he, however, be in any difficulty in operating a retreat from the Withlacoochee, I certainly wish you to afford him any *succor* that the slender means within your reach may allow; and this, doubtless, you would render without any special permission to that effect. If the force return to Fort Drane or King, it must be subsisted, for at least five or six days, upon means derived from this place, [Picolata;] and hence I *now* prefer that it should become a part of the right wing, [General Clinch's command,] rather than take that quantity of subsistence [from you] and march back to Tampa bay."

And, finally, I caused a fifth letter(3) to be written to General Clinch, March 6th, in which will be found this paragraph:

"Major General Scott is exceedingly anxious to hear the result of the operations on the Withlacoochee. The last intelligence from that quarter (through you) was only to the 29th ultimo."

My reports on the same subject, addressed to the Adjutant General, for the information of Government, dated at Picolata the 26th of February, the 28th, (notes on my order No. 4,) March 2d and 6th, are to the same effect; all showing the embarrassments and delay which the isolated movement from Tampa to Fort King and the Withlacoochee caused in my plan of combined operations.

In the notes(4) of the 28th of February, after recapitulating many of the facts already brought into review, among them the arrival of General Gaines at Fort King with 1,140(5) men, without bringing more rations than sufficed for his march, although he came from Tampa, where the amount of subsistence was great: after noticing his having drawn from

(1) Doc. No. 69.

(2) Clinch's answers to interrogatories.

(3) Doc. No. 70.

(4) Doc. No. 55.

(5) Captain McCall's requisition for subsistence, Doc. No. 51.

Fort Drane nearly all the food for men collected there, together with the baggage-train necessary to transport that subsistence to him at Fort King, and which train in the whole had been required at Picolata to take further supplies to Fort Drane, the point the most difficult to supply in or about the whole theatre of operations, I add:

"It will be seen from the foregoing, that to re-establish my plan of campaign, viz: to move simultaneously from Fort Drane (or Fort King) from Volusia and Tampa, say about the 8th of March—the great difficulty will be to send supplies for the right wing, [Clinch's command;] and the bad road from Picolata to Fort Drane (65 miles) has, by a heavy rain which has now been falling for forty-six hours, been rendered infinitely worse."

In the report of the 2d of March to the Adjutant General, I said:

"By reference to the map, it will be seen that, even if Major General Gaines could succeed in driving the enemy from the Withlacoochee, there is no force to prevent the retreat below Charlotte harbor, or to any point in the lower [part of the] peninsula. A small guard only was left [by him] at Tampa; Colonel Lindsay will not be in position in time; and Brigadier General Eustis cannot cross the Ochlawaha earlier than the 13th or 15th instant. The retreat, it will be seen, is therefore open to the Indians. In this point of view, then, it would be better for the public interests that the Indians should drive Major General Gaines, than that he should drive them. The war, in fact, would be forwarded by his being forced back upon Forts Drane and King. In truth, according to his own showing, he ought to have fallen back on the evening of the 28th, or the morning of the 29th(1) [of February.] The lives which he has lost have promoted no end. He must, I think, still fall back; and I wish to heaven that it may be without further loss. Brigadier General Clinch, from his present want of wagons, can send him no efficient aid, and the wagons cannot be back [from Picolata] in four or five days. If the force with Major General Gaines were now back at Tampa bay, it would be in its true position; but he cannot retreat thither; for it will be seen by his letters [enclosed] that he has not the means of passing the river [Withlacoochee.] He found the enemy where all my arrangements presumed the enemy would be found, and in the position the most favorable to us."

And, on the 6th of March, I again write to the Adjutant General on the same subject, thus:

"No intelligence has been received of the movements of Major General Gaines of a later date than his letter of the 29th ultimo, a copy of which has been forwarded. He cannot, therefore, have fallen back upon either Fort Drane or King, or have marched upon Volusia. In either case I should, doubtless, have received a further report of him from Brigadier General Clinch. It may, then, be hoped that he has beaten the enemy, or at least have succeeded in effecting his return to Tampa bay. In this state of doubt and anxiety I know not how long I may have to remain; yet it is important that I should speedily learn what has become of his column, and particularly whether the position and numbers of the enemy have been materially changed by its operations.

"I send no more troops, for the present, to Fort Drane, on account of

(1) See his letters of those dates, documents Nos. 62 and 63.

the difficulty of subsisting them there. If Major General Gaines shall not fall back on that point, it will be indispensable to wait for Captain Wharton [with his company of United States dragoons.] In the mean time it is easy to subsist the forces here and at Garey's ferry."

On the 9th of March I reported(1) to Washington as follows:

"I have just set out for Fort Drane, *via* Garey's ferry, on Black creek, [just established as an army depot,] with two companies of regulars, [foot,] and intending to take with me, from the latter place, the small battalion of mounted Georgians (heretofore mentioned) under the command of Major Douglass. Lieutenant Colonel Bankhead is at the head of the first detachment, and the two, together, may make a total of about 240; but even this small force may be important to rescue(2) Major General Gaines."

"I had not received the slightest information of the operations on the Withlacoochee (official or otherwise) of a later date than the 29th *ultimo*, up to this morning, and had concluded that he had effected his march, with more or less success against the enemy, upon Tampa bay, when, at daylight, the steamer that I am now in arrived and brought the rumor, which is confirmed by the two accompanying notes(3) from Paymaster Lytle, received about six hours afterwards. On the reception of the rumor, I immediately commenced preparations for this movement; but being delayed by the necessity of unloading and relading the boat, I am now at anchor at the mouth of Black creek. I hope to put the troops in march, from Garey's ferry, early in the day of to-morrow, and to reach Fort Drane with a small escort the day following. It is possible that even these little detachments of horse and foot may reach the Withlacoochee in time to render a valuable service."

The parts of Major Lytle's notes relative to this subject are—on the 5th of March he writes to me: "I have been directed by General Clinch to inform you that your communication of yesterday's date reached him at this place, [Fort Drane,] after he had mounted his horse and was on the move, with the forces under his command, to escort supplies to General Gaines." * * * * "Colonel Gadsden arrived here from Tallahassee on the 4th, (yesterday,) and accompanied General Clinch this morning to the Withlacoochee." And Major Lytle says, on the 5th, "by direction of General Clinch, I opened your communication of the 6th instant, which arrived late last night in advance of the wagons, [from Picolata, loaded with subsistence, &c.] You will perceive, by my letter of the 5th, that General Clinch, with all the forces at this post, and 100 mounted men from the vicinity, had left for the Withlacoochee to escort a small supply of cattle, ammunition, &c., to General Gaines, having received, the night before, a third express from that officer. No word has been received from either of those generals since the 5th." * * * * "N. B. The amount of General Gaines's last express to General Clinch, dated the 3d instant, was merely copies of his previous letters, with a note, stating that the Indians were still around him; but little or no fighting [had] taken place since his last communication"—that, it is presumed, of the 29th of February.

I beg the Court to observe, that those two notes of Major Lytle, as

(1) Doc. No. 71.

(2) See testimony of Captain Van Buren.

(3) Doc. No. 72.

has been shown in evidence, reached me "at the same moment,"(1) at Picolata, about meridian, on the 9th of March.

I shall proceed to give further extracts from my report to the Adjutant General, of the same date—March the 9th:

"I am aware that the movement I am making may be condemned, if regarded in any other light than a *rescue*,(2) as premature. Colonel Goodwyn's mounted regiment [of South Carolinians] only arrived at St. Augustine last night or this morning, and consequently the *left* wing [General Eustis's command] cannot be in force on the Ochlawaha, in the direction of Pelaklikaha, earlier than the 17th, or *up* with the enemy before the 20th instant. Colonel Lindsay, who may have already arrived at Tampa bay, cannot operate more than two days' march from that place, from the want of means of transportation—Major General Gaines having taken away the horses which were there; and the basis of the right wing [Clinch's command] is merged in the force brought by that general [Gaines] into the field, and must participate in his success or failure. If it falls back with him on Fort Drane, it must suffer great loss; and if it follow him to Tampa bay, it [the *basis* of the right wing] will be wholly out of position.

"In this, and even a greater state of uncertainty, I have been held since the 26th ultimo. The day after I ordered back Major Cooper's battalion of Georgia foot, to prevent starvation at Fort Drane; and though daily, from that time, in the expectation of receiving from Savannah horses and serviceable wagons, not one has arrived. The quantity of subsistence that will be at Fort Drane, say to-morrow, will only be that sent from Picolata on the 6th instant, *viz*: 17,497 rations of bread and flour; 11,000 rations of pork, (with beef-cattle in the neighborhood); 8,000 rations of beans; some coffee, vinegar, &c. And the troops now about to proceed, [with me,] perhaps as far as the Withlacoochee,(3) will not have the means of taking with them rations for more than six days [extra.]

"I beg leave to recapitulate the causes of my great deficiency in means of transportation: 1. The wagons and horses which I knew Brigadier General Clinch to possess early in February, have been more broken down by hard service and bad roads than I had expected to find them; 2. I had, upon what was considered in Georgia, and even at Picolata, the best information, confidently relied upon the use of the Ochlawaha as late as the 2d instant; 3. No bacon has arrived, and the difference between it and pork, including wood and brine, is fifty *per centum* against the latter; 4. The [two-]horse wagons purchased at Charleston and Augusta, by assistant quartermasters L'Engle and Peyton,(4) are generally poor, and many of them unserviceable; 5. The ten wagons actually reported to have been shipped at Baltimore in, I think, the Arctic, with Major Gates, were all left behind; 6. Of the 19,000 rations known to be at Fort Drane about the 25th *ultimo*, nearly the whole have been drawn by a force not expected by the Government or myself to appear in that quarter; and 7. Not a horse for the baggage-train, left by me at Savan-

(1) Endorsement of Lieutenant Van Buren, aid-de-camp, &c.

(2) Colonel Gadsden's deposition and Captain Van Buren's testimony.

(3) Colonel Gadsden's depositions and the testimony of Captain Van Buren.

(4) Though bad, it has since been ascertained that better *two-horse* wagons could not be purchased at those places.

nah, or which I have since ordered to be purchased by Assistant Quartermaster Dimmock, has arrived in Florida.”(1.) * * *

“Instructions have been left behind me to send forward rations, should the means of transportation arrive in time, and the troops already in the neighborhood of Picolata—Major Cooper’s and the remaining company of Major Gates’s battalions. I have also desired Brigadier General Eustis to order to Fort Drane two companies of Colonel Goodwyn’s regiment; and a further order will go back, in this boat, to Lieutenant Dimmock, on the subject of horses and wagons.

“Some rifles and the tents arrived this morning at Picolata; but Colonel Goodwyn’s regiment had marched through six or eight storms without cover; and now, all companies in march are to be reduced to three tents each.”

The following is the *postscript* to the foregoing report :

“Please remark that, in his letter to Brigadier General Clinch, dated at New Orleans, the 2d *ultimo*,(2) Major General Gaines speaks of ‘an efficient *co-operation* ;’ promises to be ‘in readiness,’ at Tampa bay ‘by the 5th of the present month [February] to form a *junction at or near* that place with your command, whenever, and as soon as, *in your* judgment, your force shall be sufficient to justify the movement ;’ and concluded by saying, ‘a sufficient quantity of ammunition and *provisions* have been transported to Fort Brooke [Tampa] *to divide* with you, until further supplies are received.’ Yet, he did *not* wait till the brigadier gave notice that he was ‘in force’—came to Fort King, and swept nearly the whole of the subsistence collected at Fort Drane. A copy of that letter is in your office ; and I now enclose one from Governor Eaton,(3) from which it will appear that Major General Gaines knew, at Tampa bay, about the 14th *ultimo*, that I had been charged with the direction of this war. He first heard this at Pensacola, and received Governor Eaton’s despatch at Tampa, as I can establish. Hence his haste, and neglect of the *assurances* given to Brigadier General Clinch, his isolated attack,” &c.

Mr. President : I am not, nor desire to be, the prosecutor or accuser of Major General Gaines, either before this or any other Court, nor before the public. In respect to the latter tribunal, I have not published, nor caused to be published, a word against any human being whatever, or even a word in self-defence, since, at the latest, I was ordered to Florida—unless, indeed, two simple notes of explanation may be regarded as exceptions : the first, in May last, on the subject of a term hastily, and I may say accidentally, applied by me in an official report to the volunteers I then had the honor to command ; and the second, written for publication within a few days past, repudiating certain language which I saw myself reported as having applied, before this Court, to a high political functionary. If many of my official reports, written in the field, and transmitted for the information of Government, have, at Washington, been printed in whole or in part, the act was done, in every instance, without my knowledge, or the expression of the slightest wish to that effect, on my part. The officers of my staff, sir, so far as I know or have seen, have been equally silent.

(1) Some soon after arrived. The storm and the want of sufficient steamers delayed Captain Dimmock.

(2) Doc. No. 48.

(3) Dated February 24, Doc. No. 73.

And what outrages have I not suffered from the publications of others during this period of silence? I shall speak in this place only of Major General Gaines. I complain not that he and his staff should occasionally fill up a column or two of the newspapers in praise of the hero of Camp Izard; but what right or justice was there in the outbreaks against me on the part of that chief—on the Withlacoochee, at Tallahassee, Mobile, and I know not at how many other places? All these effusions of spleen, whether in the form of orders, speeches, or letters, have been carefully obtruded upon the public. I have heard of many of those melancholy exhibitions, but have only read one—the order of the 9th of March, turning over the command of the troops on the Withlacoochee to Brigadier General Clinch. It is, without any immediate agency of mine, in evidence(1) before this Court. In that paper, I am very facetiously denominated “the officer charged with the diplomatic arrangements of the War Department,” approaching, as it is obliquely intimated, only to receive the formal surrender of that enemy whom he had, without a sortie, most strangely, but happily, conquered or subdued!

It has been seen, Mr. President, in every form, that this was a slight misapprehension, to which the enemy was by no means a party; and that no military or *diplomatic* blunder of mine was necessary to resuscitate a war that had not then, nor has yet, been terminated. It would be superfluous to quote the evidence—it abounds on the records of this Court; and, what is worse, it yet abounds in unhappy Florida.

The Judge Advocate has read in evidence, furnished for the purpose by the War Department, the official reports written by me at the time for the information of Government; in several of which Major General Gaines's movements are mentioned. Those particular reports, in common with the others, it was my right and duty to make, being charged, at the time, by seniority in commission and special assignment, with the chief direction of the war against the Seminole Indians. Several passages of that part of the testimony have already been imbodyed in this *summary*, to show how far I was, in my plans and operations, hindered, crippled, or defeated by the movements of that general. Without departing from the strict line of defence that I have prescribed to myself, and which, no doubt, this Court would otherwise have imposed, it remains for me to show that Major General Gaines, in his operations in Florida, so far as they embarrassed mine, constituted himself an intruder—that is, that he came into the field *in his own wrong*.

It has been seen, Mr. President, in what terms of praise (in my letter(2) to General Clinch of the 25th of February,) I bore my humble testimony to General Gaines's movement from New Orleans; provided that, in violation of his express assurance, previously given to Clinch, that he would wait for a junction with him at or near Tampa, it did not lead to a premature advance into the interior. But I then did not know the fact, so clearly disclosed in Captain McCall's letter,(3) republished in *The Army and Navy Chronicle*, (whole No. 84,) which has been verified, and is now in evidence.

Captain McCall was at the time with General Gaines, and his acting assistant adjutant general. He says in his letter that “on the route, and within two days' march (by steam) of the Indian borders, he [General

(1) Doc. No. 78.

(2) Doc. No. 58.

(3) Doc. No. 150.

Gaines] received a notification that General Scott had been ordered to repair from the city of Washington to Florida, 'and to take command of the troops operating against the Indians in that quarter.' At the same time he [General Gaines] was informed that 'the state of affairs west of the Mississippi might soon require his attention, if not his presence, in that quarter;' and he was directed to await further *orders* in the city of New Orleans."

The point at "two days' march by steam" from Tampa bay, was evidently Pensacola, where we know, by Governor Eaton's letter above noticed, (incidentally,) that General Gaines touched on his way from New Orleans to Tampa bay.

But the captain argues, in the same letter, and no doubt after General Gaines, that, had the latter "obeyed the order, [received at Pensacola,] and, by so doing, left General Clinch, in expectation of a promised co-operation, to extricate himself as he could from any difficulty into which the failure, on the part of General Gaines, in preconcerted movements, might peradventure have thrown him," (Clinch,) "it is difficult to say whether the historian would have approved or condemned" General Gaines. But we have seen (and I have probably already assigned the true motive) that the "promised co-operation" and "preconcerted movements," commencing with "a *junction at or near*" Tampa, were not observed by General Gaines.

The captain's letter continues: "And, without General Gaines, the volunteers, [the Louisiana regiment,] his principal force, were unwilling to proceed; for, before they left New Orleans, he had pledged himself to accompany them whithersoever they went, and to stand by them," &c. These again are evidently General Gaines's own pretexts for his intrusion.

First, *the unwillingness of the Louisiana regiment to proceed without General Gaines to command it.*

Finding at this place Captain Thistle, who commanded a company in that corps, in Florida, from some day in February to the end of its term of service, I caused him to be summoned as a witness, and to be interrogated on this point. To my (third) question he answered: "For my part, when I was raising the men for my company, I did not know there was such a man as General Gaines in the country. Colonel Smith and [Lieutenant] Colonel Lawson, I understood, were to command. I speak only in reference to my own company—my own officers and men. When at Pensacola, I never heard any thing of the kind mentioned, nor did I ever hear there that General Gaines was about to leave us. When we got acquainted with General Gaines, the officers and men were well pleased with him."

"*Question 4.* Did your regiment, as far as you know, obey, with equal cheerfulness, every officer of superior rank, whether of the regulars or volunteers?"

"*Answer.* They did so. I never heard the least murmur, neither among the officers nor men, nor the first word of dispute; they were always ready to obey orders, both with the regulars and volunteers, from all officers placed over them."

The same disposition, on the part of the regiment, may be inferred

from the letter of its commander, Colonel Smith, to Captain Shannon, dated at Fort King, February 25. In this the writer says:

"I find it is General Gaines's intention to go down to Tampa bay by the scene of General Clinch's fight, and then to quit Florida. I would wish you to say to General Scott that if he thinks my regiment can be of use to his operations, I would rather remain with it in Florida than go back without having seen a fight; though, to tell the truth, I would rather have the fight before the grand army comes up. I would like, therefore, before we can be shipped back from Tampa bay, to be ordered on some active duty by General Scott." (Colonel Smith has been summoned as a witness, at my instance, but has not arrived.)

Who, Mr. President, would infer, from the spirit of this excellent letter, that the patriotic Louisiana regiment was a body of vassals who only owed allegiance or service to a particular chief? or, rather, who would not affirm that it continued in the field to the last moment, and, in the language of Captain Thistle, "always ready to obey orders, with regulars and volunteers, from *all* officers placed over them?" (The deposition of Mr. Dyer, then quartermaster and commissary of the Louisiana regiment, strongly supports what is said under this and the next head.)

The other pretext, as we learn from Captain McCall's letter, is: *General Gaines had pledged himself to accompany the Louisiana regiment, &c.*

It seems, from Captain Thistle's testimony, that this corps was raised in part, and that arrangements were in progress to complete it (no doubt by his Excellency Governor White) as soon as the news of the massacre of Major Dade had reached New Orleans, and before it was known that General Gaines was in that part of the country. Colonel Smith's letter equally excludes the idea of a pledge. He speaks of General Gaines's intention of returning to Tampa, and thence embarking for New Orleans, and the wish of himself and regiment to remain. The pledge, therefore, seems to have been a mere gratuitous flourish, made without any moving consideration, without acceptance, and without being known or remembered in the regiment. The troops, both regulars and volunteers, might very well have proceeded from Pensacola to Tampa bay under Colonel Smith, who was fully qualified to direct and command them. In this way, sir, I show that General Gaines came upon the theatre of operations as an intruder, and in his own wrong.

In my report(1) of March 14th, I said, for the information of Government, that "I have every reason to hope that the enemy remains nearly in the same position as before the isolated, and, therefore, false movement of Major General Gaines." An adroit and faithful negro spy, the same who had "been sent over the river"(2) by General Gaines, for a like purpose, was again despatched to ascertain the correctness of the impression so reported; but this spy never returned. We afterwards learned that he fell under suspicion, and was confined. The impression, however, was universal in the right wing, (with which I marched,) up to its passage of the Withlacoochee, as is stated by Captain Thruston, the very intelligent chief of General Clinch's staff. This witness says: "I did not entertain a doubt myself that the enemy was still concentrated about the Withlacoochee, where I believed, and think it was the impres-

(1) Doc. No. 77.

(2) Doc. No. 149.

sion of others who had the best opportunities of information, that the women and children were then placed by the enemy for security; that they would defend the passage of the river with all their force, as they had done when threatened by General Gaines," [and it might have been added, when previously approached by General Clinch, December the 31st.] "I heard no other supposition than that *there* we should be resisted, and that *there* the principal battle would be fought. That impression continued with me and others, and, I believe, generally throughout the wing, until our advance had landed on the opposite bank. I will mention, in support of this opinion, the fact that one of our men [a black wagoner] was cut off by a small party of Indians, said to be five, within eight miles of Fort Drane, on our first day's march."

According to my report(1) dated the 12th of April, and the testimony of Captain Thruston, General Clinch's column, with which I marched to Tampa, passed the Withlacoochee (that stopped General Gaines) with but little molestation; that we entered and scoured *the Cove*, the enemy's strongest hold, to its head, as we believed at the moment, and without encountering a force of more than 130. Indeed, in the whole period of my operations, as may be seen by the written reports made to me by Clinch,(2) Eustis,(3) and Lindsay,(4) and of mine to Washington,(5) neither of those principal commanders, under me, at any time met with a larger body of the enemy at any one place—that which attacked Colonel Lindsay's column, on its last return to Tampa bay excepted, and which was estimated at about three hundred. By the term *principal commanders*, just used, I of course do not mean to include the officers who respectively commanded the two small posts established in the interior, denominated Forts Alabama and Cooper. These, from the enemy's perfect knowledge of his own most difficult country, and his consequent facilities of concentration, were reported to have been repeatedly attacked, and by several hundreds each time.

It has been further shown, in evidence, that the many columns and detachments under my orders traversed an immense space in a short period, and visited many of the enemy's favorite haunts and strongest holds; and I now read this passage from my report to Washington of the 30th of April:

"I am more than ever persuaded that the whole force of the enemy, including the negroes, does not exceed 1,200 fighting men. It is probably something less. Of that force I am equally confident that not 500 have, at any time since the commencement of hostilities, been brought within the same ten miles square. In all our operations within the last thirty days, [known to me,] we have not found a party of probably more than 130; but parties of from ten to thirty have been encountered almost everywhere. No Indian woman, child, or negro, nor the trace of one, has been seen in that time. Those non-combatants, it has been evident to us all, have been removed beyond the theatre of our operations. They were, no doubt, even while the parley was going on with General Gaines, on the 7th of March, moving off to the southeast, beyond Pease creek and lake Tohopkelika, and in that almost inaccessible region they are now concealed. That officer, it is said, caused Powell and his chiefs to

(1) Doc. No. 103.

(3) Doc. No. 105.

(5) Docs. Nos. 103 and 116.

(2) Doc. No. 104.

(4) Doc. No. 106.

be informed, by way of inducing them to accept the Withlacoochee as a temporary boundary, that large armies were approaching, which would fill up the Indian country, and crush every thing in the way. The wily chiefs profited by the information; sent off their families, and dispersed their warriors into small parties. In this way, Powell expects to make good his threat, viz: *that he would protract the war to three years.*"

Except on the suppositions of this extract, how was I, Mr. President, to account for our not finding, three weeks after General Gaines, any considerable body of the enemy? He supposed himself to have been surrounded in his breastwork with his 1,000 or 1,100 men, by 1,200 or 1,500 warriors. What had become of them? He certainly killed but few, and captured not one. Whence then the subsequent dispersion? My supposition is rendered more than probable by Captain Hitchcock's letter to the honorable Mr. Lyon, M. C., dated Fort Drane, March 11, 1836, since published, and now in evidence. (1) In this letter, the captain says "a staff officer" (himself) was, at Fort Izard, sent out by General Gaines to hold a parley or negotiation with the hostile chiefs, "and in the plainest language to tell them the exact truth as to the force ordered into the country to subdue them; that additional force was expected every day; that the time was near when every Indian found with a rifle in his hand would be shot down. This was communicated with such explanations as were deemed necessary to give it force," &c.

And what, sir, were the objects of that parley, or "diplomatic" transaction? It seems, according to the published letters of Captains Hitchcock and McCall, "that the Indians did not wish to fight any more, but they wanted him [General Gaines] to retire from the Withlacoochee;" and in the general narrative of Captain Thistle, commenced under a question put by the Court, this witness said: "Captain Hitchcock and other officers (Adjutant Barrow) went out and held a conversation with them [the Indians;] they inquired particularly as to our situation—whether we had provisions, and whether we had brandy and tobacco. They said they could supply us with provisions in abundance; that we could fish on the river bank, if we chose; and that they would fight no more if they were permitted to keep the opposite side of the Withlacoochee, making that river the boundary."

Was this the language of a *subdued* people, *humbly suing for peace*? They had commenced the war without owning an acre of ground in Florida. They had ceded every foot. The time had arrived for their emigration to the West. Sooner than quit their natal soil they had appealed to arms; they had massacred a detachment of a hundred men; they had held their country notwithstanding the gallantry of Clinch and his handful of troops on the 31st of December; they had even held General Gaines himself, with his strong and excellent column, penned up under their fire from the 27th of February; they had, in short, glutted their revenge, conquered the country up to the left bank of the Withlacoochee, gained all they wanted, and felt themselves in strength to dictate the terms of peace. Hence the overture to make the Withlacoochee the future boundary—to treat on the basis of the *uti possidetis*—each party to hold what it possessed; and accordingly we find Captain Hitchcock instructed to reply, on the part of General Gaines, "that if they would

(1) Doc. No. 149.

engage to cease from all acts of hostility, retire south of the Withlacoochee, and promise to attend a council when called upon by the United States commissioners, they should not, for the present, be molested." Just at this critical moment General Clinch arrived with the needed succor, and we hear of no farther negotiations !

Well, sir, General Gaines now left the theatre of operations. Near Micanopy he met Colonel Bankhead's column, coming up, and, as the latter has testified, said : " You may go on, colonel ; there is nothing to be done now, it is all finished." His order of the 9th of March, boasting, among " the important objects" he had " accomplished," that " the principal force of the enemy had been beaten, and forced to sue for peace," preceded or accompanied him. His progress towards Tallahassee and Mobile was one continued triumph. But it may be asked, What had all this self-felicitation, and those public gratulations, to do with my operations ? This, Mr. President, is precisely what I am about to show.

It will be remembered that two of the columns, those of Generals Clinch and Eustis, of the army under my command, respectively, from Fort Drane and Volusia, arrived at or near Tampa bay on the 6th and 5th of April, and the third, or Colonel Lindsay's column, returned from the interior about the same time. All, much harassed and worn by long and fatiguing operations, looked to this great southern depot for the supplies and refreshments so greatly needed to enable men and horses to return to the field. To give some idea of what we were here doomed to experience, I will recall parts of my official report,(1) written at Tampa the 12th of April, for the information of Government, and which letter has been given in evidence by the Judge Advocate.

" My disappointments on the Gulf have been as great as those experienced on the St. John's. The latter were pretty fully reported at the time, &c.

" Please now refer to my joint letter(2) to the quartermaster and the commissary at New Orleans, dated at Savannah, February 14th, and acknowledged(3) on the 26th of the same month. A copy was transmitted to you for the information of the proper departments at Washington. The letter, it will be seen, is both specific and urgent. Yet, instead of my finding here about 50,000 rations of hard bread, and about 90,000 rations of bacon, I found but 12,740 pounds of the former, and 21,600 pounds of the latter ! Not an additional ration of either has arrived since I came." (Both the quartermaster and commissary, here alluded to, I have caused to be summoned as witnesses, and neither has appeared.)

" Colonel Lindsay (the report continues) had required, for the use of his column, of the quartermaster at New Orleans, a number of wagons and horses, and not one has been sent. Again : the sutler (the person next in importance to the quartermaster and the commissary with every army) left this place, more than a month ago, for New Orleans, to bring back with him a large supply of goods for the troops which were expected [here.] Those supplies are exceedingly wanted by every officer and man. But the quartermaster writes, that he hesitates about sending the wagons and horses ; and the sutler, that he declines sending his stores—because each has heard of Major General Gaines's triumphal entry into Tallahassee, in consequence of his having finished the war ! It is *presumed* that

(1) Doc. No. 103.

(2) Doc. No. 39.

(3) Doc. No. 42.

the commissary at New Orleans stopped the shipment of hard bread and bacon for the same reason." (This *presumption* is now *fact*, as shown by the testimony of Captain Thistle. Lieutenant Morris, who, at Tampa, had the letter from his brother, the sutler, testified, before this Court, to all that I had alleged in respect to the non-arrival of sutlers' stores. See, on this point, the testimony of Colonels Lindsay and Bankhead; and for the sufferings of both officers and men, from the want of shoes, shirts, light garments, and groceries, see the testimony of Colonel Lindsay, Mr. De Peyster, and Captain Thistle. In respect to the want and non-arrival of wagons and horses at Tampa, see testimony of Colonel Lindsay; the letter⁽¹⁾ of Captain Shannon, (chief quartermaster;) the deposition of Mr. Newcomb, late of the army, and quartermaster at Tampa, with the letter of the quartermaster at New Orleans, to him annexed.) My report of the 12th of April continues:

"Captain Green, of the cutter Dallas, was at Tallahassee when Major General Gaines arrived at that place. He had been ten days soliciting permission to go and make a survey of the mouth of the Withlacoochee; on renewing his application to some one of the Territorial Government, he was told the war was over. We have *now* to make the survey for the expedition that has been mentioned, [which sailed under Major Read, the 17th or 18th of April.] These are the new disappointments and vexations I have been doomed to experience."

This statement, given in the report from memory, has been fully sustained by the testimony of Captain Green, before this Court, with this important addition: the captain would have *ascended* the river, having provided the necessary means.

But, Mr. President, to a question put by the Court, General Clinch replied: "I am of the opinion that the movement of Major General Gaines's command, through Florida, did not materially affect the operations of Major General Scott."

Sir, no one entertains a more sincere respect and regard for this most excellent commander and citizen than I do, and I am sure that the whole army regrets his retirement to civil life. His opinion is always entitled to great weight; and hence, mainly, the overwhelming facts which I have just embodied, and which, otherwise, I might have left scattered over your voluminous documents and minutes, to be remembered or hunted up by the Court.

It is, moreover, evident to me, Mr. President, from the reply to another question also propounded by the Court, that, on the point of interference with my operations, the sound mind of General Clinch was too much influenced, at the moment, by the narrative he had so recently given of the neglects shown him by the War Department, prior to the time when I had the misfortune to be ordered to Florida. If his repeated calls for troops and supplies, and his wise admonitions on the *temper* early manifested by the Seminoles had received but half the attention due his position—this still-raging war might never have bursted upon the country. Under this ruling idea, the witness could see nothing but the imputed errors of the War Department. Whilst that was on the throne of his mind, all the subsequent causes of failure in sending the Indians out of Florida sunk into comparative insignificance. Be this as it may,

(1) To the Quartermaster General, April 11th, doc. No. 154.

I put, in concurrence with the isolated opinion of General Clinch, on the subject of General Gaines's interference with my operations, the great body of facts already detailed, and the *opinions* of witnesses of no less intelligence and respectability. See the deposition of Colonel Gadsden, the chief of my staff, who marched with General Clinch to the succor of General Gaines, and who knew more of Florida and the Seminoles than, perhaps, any three individuals with the army; and see the testimony of Colonel Bankhead, who marched with me from Picolata to Fort Drane, where he came under the command, and continued with, General Clinch. The strong opinions expressed on this point by the two colonels, like the opposing one given by General Clinch, were all elicited without a question put by me.

The point which has thus been rather more fully discussed than I had, until lately, intended, was, however, but the *second* cause of the failure of my operations to send out of Florida the great body of the Seminole Indians, and there were many other causes, besides the *first* in importance, some of which have already been partially, though but incidentally, developed. It is now my purpose to bring rapidly the whole, in the same connexion, under the review of the Court.

Of these causes, many, as will be seen, are closely united, and, in the descending scale, consequent upon each other. For these reasons, the analysis and the enumeration will, in some instances, be rather difficult.

1. *The lateness of my orders—12 o'clock in the night of January 21st, with notice, the day before, to hold myself in readiness; and the short term of service of the great body of troops.*

I do not mean to say, Mr. President, that any time was lost by the War Department, in putting me in motion *after* the news of Clinch's affair of December the 31st, which preceded at Washington, the account of Dade's melancholy fate on the 28th. Nor shall I stop to discuss the question, Why had not *stronger* measures been taken on the receipt of Clinch's warnings and calls for reinforcements—beginning in January, 1835, and reiterated October 8th, October 17th, December 9th, and December 16th, of the same year?(1)

Well, sir, the Court has seen that I was promptly at Augusta, where I completed my calls for volunteers or draughted men: two regiments from South Carolina, one of horse and one of foot; the same from Georgia, and one of foot from Alabama, at 740 men per regiment, making a total of 3,700. A fine spirit was abroad in those States, and great exertions made in each to supply its quota. Yet, from many unavoidable causes—the immense spaces to be traversed, and others which I will not stop to enumerate, but not one of which can be charged to me—instead of finding myself in force at Picolata and at Tampa bay as early as the 20th of February, as I had originally flattered myself that I might, I arrived in Florida on the 22d, much in advance of three-fifths of those troops. Only the foot of South of Carolina and seven companies of Georgia had preceded me. The Georgia horse began to arrive about the end of the month, the three companies before mentioned, and another, on the 10th of March, under Captain Nelson, who had made an unparalleled

march from the northwest corner of Georgia. I ought, in my previous narrative, to have stated that this fine company joined at Garey's ferry, and added about 70 men to Colonel Bankhead's little column which set out with me for Fort Drane. The same day, Colonel Goodwyn's fine regiment of South Carolina mounted men reached St. Augustine, over a long road through rain and mud, and, like Nelson's company, without tents, and without a murmur. The Alabama regiment, under Colonel Chisholm, and Major Read's battalion of Floridians, arrived at Tampa bay, with Colonel Lindsay, between the 1st and 10th of March. (It has been seen that this battalion had not been called for by me, and that it went to Tampa bay without my knowledge, at the time, and against my wishes; and that the second battalion of Georgia foot was, in accordance with my request, never furnished.) Finally, six companies, instead of four, to make up for the defection of the first two—of Georgia horse, arrived at Garey's ferry, *via* Middle Florida and Fort Drane, about the 10th of April, whilst I was at Tampa. These six companies were, nevertheless, mustered into service, in accordance with instructions I had left behind, and immediately afterwards discharged, by the advice of Major General Macomb, who then happened to be at Picolata.

All the volunteers called for by me were mustered into service for only three months, according to the instructions I had received from the War Department; and I suppose that the President of the United States has no authority to require the services of militia, by *draughting*, for a longer period.

It has thus been seen that I was not in force to commence combined and efficient operations earlier than the 10th of March, and, by this date, the mass of the volunteers, owing to the different periods of arrival at the several places of rendezvous, and consequent acceptances, by muster, had only about 60 days to serve. This was the same thing nearly, in a system of combined operations requiring the service of the whole, as if none had a longer time to serve, and all had been from home, with slight differences, equally long.

But let not these movements of the volunteers excite a smile to their prejudice. The delay in their arrival on the St. John's, as I have said, was unavoidable, and there was even a greater delay in the approach of three companies of regulars, which were ordered to embark, at Baltimore, in the dead of winter, and with the mercury in the thermometer several degrees below zero. This battalion was delayed by ice in the Chesapeake, I know not how many weeks, and finally reached Picolata on the 6th of March. With all the lights of the Quartermaster General, ten wagons were ordered (1) to be purchased, and shipped from Baltimore, about the same time—six came to Florida as late as the 11th of March, two earlier, and two in May! (2) Now, if I were expected to make long marches, through a savage country, without road or bridges, why could not those three companies have been marched to Norfolk, or even to Wilmington, and thence embarked? Time would have been saved in either case. And why were not the wagons shipped from some port not obstructed by ice? Again: a detachment of United States dragoons, under Captain Wharton, that received orders for Florida, at New York, about the 24th of January, was delayed several weeks in that harbor, waiting for its arms and horse-furniture, and joined me at Fort

Drane, (after a short passage to Savannah,) sixty days from the reception of those orders! There was no delay from the want of horses; they had been purchased by my orders, and placed at Savannah as early as the 12th of February.

Let it be remembered, Mr. President, that those shipments and movements were not made under *my* directions; yet I was advised of them, and suffered much embarrassment from not earlier receiving the troops and wagons.

I have said that I was, by the 10th of March, in sufficient force to *commence* operations, and that the mass of the volunteers had then about 60 days to serve—a part more and a part less. This period was rather more than was necessary for the marches and operations actually made under my orders, but wholly insufficient to enable us to scour the country south and east of Pease creek, which is commonly termed the Everglades, even if the lateness of the season, the sickliness of the climate in those regions, as early as the end of April, and other causes which will be noticed, had not interposed insurmountable obstacles. I ought, therefore, to have given *me* any prospect of success, to have been ordered to Florida several months earlier, and with a force of a much longer term of service. He who now directs the war in that quarter, besides other advantages, has had more time for preparation; has a better season for operations; more regular troops, and volunteers of a longer period of service.

In respect to volunteers for ninety days, the testimony of General Eustis and Colonel Lindsay is strongly in support of what I urge on this point.

2. *The unexpected intrusion of General Gaines.*

This was the second cause of my failure, both in point of time and importance.

Now, although I considered myself in strength on the St. John's, and at St. Augustine, to commence forward movements as early as the 10th of March, the Court will please remember that my general plan of operations was to move at the same time, as nearly as practicable, from Fort Drane, Volusia, and Tampa, upon the great body of the enemy supposed to be about *the cove* of the Withlacoochee; to march in person with Clinch, and to give instructions to Eustis and Lindsay so far to deviate from that approximation of the three columns, as to pursue any considerable body of the enemy, or any considerable fresh trail that might be discovered. Hearing of General Gaines's intrusion, and seeing that a consequent delay was inevitable, I called back a detachment already in march to join Clinch, and, through the latter, caused Lindsay to be advised (1) of that delay, lest he should make an isolated movement. And General Clinch has testified (2) that a forward movement could not have been made from Fort Drane earlier than the 26th of March, (the day on which he actually moved,) for two reasons. 1. To give time for the troops which had been shut up in Camp Izard with General Gaines to recruit themselves. 2. To enable the last train of wagons sent, to return from Garey's ferry with subsistence. The answer to the second question put to Captain Thruston shows more in detail the reduced condition of those troops. Here, then, was the cause of a considerable delay—from the 10th to the 26th of March

(1) Document No. 61.

(2) Answer to the first question.

—less the time necessary to march from the St. John's to Fort Drane; and Eustis, in the mean time, instead of being forced to Volusia, which was to become his base of operations, was employed in scouring the country between the St. John's and the Atlantic, as far as Tomoca and Volusia. Lindsay was advised (1) of this further delay. The Court, too, has seen that it was my intention, on the 9th of March, (2) to strengthen the right wing by troops drawn from the left, if General Gaines's detachment had not fallen back on Fort Drane.

3. *Insufficient means of transportation.*

This cause of failure in my operations has, like the one just noticed, been pretty fully developed in the former parts of this summary. I shall, therefore, only remark in this place that the means of land transportation would have been nearly sufficient, notwithstanding the intrusion of General Gaines, if we could have used the Ochlawaha for about seventy tons of supplies (as I had expected to do) up to the 2d of March; and that those means, even without the use of the Ochlawaha, would have been sufficient by the 12th, but for that intrusion. The necessity of replacing the subsistence drawn from Fort Drane by General Gaines; of providing for a larger force than was expected there; of transporting articles of subsistence fifty *per centum* heavier than those I had early and specifically called for, both from the St. John's and Tampa, caused our wagons to be overloaded, the horses to be overworked, and many of both to be broken down. The Court will further remember *who* took from Tampa the means of transportation which were there early in February, and *what* prevented the arrival of new means from New Orleans.

4. *Insufficient supply of hard bread and bacon for marches.*

On the 21st of January, in his office, the Commissary General of Subsistence and myself fully concurred as to the advantages of hard bread and bacon, over flour and pork, *on marches*. Ten days after, in a letter (3) to the Adjutant General, I recurred to this subject, and required on the St. John's (at Picolata) large quantities of both hard bread and bacon; which passage of my letter, according to request, the Adjutant General duly communicated to the Commissary General before the 10th of February, as the former reported (4) to me on that day.

Now, it is shown by the testimony of Mr. Locke, who was the assistant commissary at Picolata, that the quantity of hard bread which had arrived prior to the march of Clinch's column from Fort Drane, and of Eustis's from Volusia, was much less than was wanted for those columns, although I had prohibited the issue of hard bread to the troops when at rest on the St. John's. The deficiency was made up, of course, in flour, of which, and of pork, our supply was abundant; and the same testimony is express that not a pound of bacon reached the St. John's, from the commissariat, earlier than the 15th of April, when all the columns were near the Gulf of Mexico.

Though much embarrassed on the St. John's, and the march to the

(1) March 13, Doc. No. 81.

(2) Document No. 74.

(3) Document No. 18.

(4) Document No. 36.

south, by the want of those particular items of food, as the Court has seen, I have always been unwilling to suppose that the chief of the commissariat was in fault; and am now, since hearing read before this Court his instructions to the agents of his department on the subject, yet more unwilling to impute blame to him. His merits are acknowledged by the whole army, and I am free to declare that I have never known a better man, or a more faithful public servant. The failure in the particulars stated was, however, not the less embarrassing.

Well, sir, the army, early in April, was compelled to give up, for the moment, the search for the enemy, and to march upon Tampa bay to seek for supplies. The Court has seen what orders I had given to the assistant commissary at New Orleans in respect to this depot; the large quantity expected, and the small quantity of hard bread and bacon found there, and that that little would not have been equal to three or four marches of the army, if Colonel Lindsay had not brought with him a small quantity from Mobile. On this point the testimony of Lieutenant Morris, the then commissary at Tampa, is more explicit than even that of General Eustis or Colonel Lindsay. And the reason why *more* of those items of subsistence had not been sent from New Orleans, is also pretty fully in evidence. (The then commissary at the latter place was duly summoned to appear here, and has not arrived.)

Mr. Locke stated, in his testimony, that the difference in weight, owing to the brine and wood necessary to the preservation in warm weather of pork, is fifty-one *per centum* against the latter in favor of bacon. This difference is known to most marching officers; and that between the ration of eighteen ounces of flour and twelve of hard bread, is evident to all the world. To have been obliged, then, as we were, to take with all the columns in their several marches nearly two-thirds of our whole subsistence in the heavier articles, was the same thing as if a larger portion of our otherwise deficient means of transportation had been captured or destroyed; and even *this* was not the only evil consequent upon that necessity, as will be presently seen.

5. *Heat of the climate—badness of water—sickness.*

From the lateness of the season into which we were thrown, from the causes already stated, we found the heat, even before the 20th of April, so oppressive, that the troops could not execute even ordinary marches from this cause alone. (Testimony of Clinch, Eustis, Lindsay, and Thruston, also Colonel Smith's report (1) of his expedition up Peace Creek.) The troops had still to wear their winter clothing, from the non-arrival of sutler's goods at Tampa from New Orleans; the sink-holes, or ponds, on which both men and horses had generally to rely for water, were now, many of them, dried up, and in the others the water was tepid, besides being filled with vegetable matter and animalcula. (Testimony of Clinch, Eustis, Thruston, &c.) Add to these causes of distress and disease the swamps and hammocks which were traversed, the deficiency in bacon to which the volunteers had very generally been accustomed at home, and the necessity *all* were under, the greater part of the time, when in march, to eat unleavened dough partially fried with pork, or half baked before

camp fires; and it will astonish no one to learn from the testimony, that we had very many individuals, officers and men, who could neither ride nor march; the only resource was to crowd them into the wagons; for, in a savage country, we could leave no one behind.

6. *Forage and grazing.*

At St. Augustine, and on the St. John's as high up as the depot at Volusia, there was, on the requisitions of General Eustis and my own, upon Lieutenant L'Engle at Charleston, and Lieutenant Dimmock at Savannah, an abundant supply of both corn and hay, and there was no positive deficiency in forage around Fort Drane. At Tampa we again found an abundance of corn and hay, with a small quantity of oats, all supplied in compliance with my requisition, as I suppose, upon the quartermaster at New Orleans. This corn, however, was generally bad, having probably been sweated on board of vessels. The good was mostly consumed at Tampa, during a rest to recruit the horses, of eight or ten days, at that place. The portion issued for renewed operations was generally the refuse, which killed some horses and injured more. (Deposition of Mr. Newcomb, and testimony of Captain Thruston.)

The grazing in the interior, as all the witnesses questioned on the subject have testified, furnished but an occasional and a slight resource. Hence the Court will not be surprised that General Eustis caused every cavalry horse with him to be led by his owner, on foot, the last sixteen miles of the march from Volusia upon Tampa. The grazing was but little less bad on the return marches.

But it may be asked, Why not have taken more corn with the columns from the depots which furnished that which was good? If our trains had been doubled, a sufficient supply could not have been transported, even if there had been good roads. Let any gentleman make the calculation for himself, to see how many wagons would be required, for example, to take corn enough for a thousand horses for twenty days, including the consumption of the draught-horses so employed, and he will be astonished at the result. Again: why not make every rider put three bushels of corn in his saddle, and lead his horse for seven or eight days? Regular cavalry may be *compelled* to do this; but I know of no power of persuasion that can induce any body of volunteers whatever, unless it be under the highest calls of patriotic interest, thus in their own estimation to degrade themselves. I made the proposal; and, although I commanded at the time a corps of horse composed mostly of gentlemen of the highest spirit and devotion to country, I was advised not to issue an order to that effect, as it could not be enforced, although I pledged myself that I would do what I wished to require of others. I then reduced the quantity of corn to be so taken, in my Order No. 28, (1) and it is in evidence that considerably less—about an average of three pecks only—was actually put on each horse. And the Court will readily conceive that the transportation of hay into the interior, for the consumption of even two days, was wholly out of the question with marching troops, as well on account of its bulk as its weight.

From the foregoing circumstances it resulted that all surviving horses

arrived at Tampa in a bad condition, (1) and returned to the north of Florida in a worse, as is shown by the evidence.

7. Roads—bridges.

The only road within the theatre of our operations was that made by Government, connecting Fort King with Tampa bay. This road was very partially followed by all the columns under my command. Its three bridges were destroyed by the enemy at the commencement of hostilities. All the other routes were opened by the columns as they marched, and the streams roughly bridged at the same time. These labors were difficult and incessant, as might be supposed, and has been shown in the testimony of Eustis, Lindsay, and Thruston.

8. Want of an auxiliary Indian force.

The Court has seen, by my Order No. 13, (March 14,) (2) that I called for 500 friendly Creek Indians, to be commanded by General Woodward, Major Watson, and Major Flournoy. The first two have been summoned here on this and another important point, but have not arrived. The third early fell in the Creek war. Colonel Gadsden's deposition shows the importance of such force, and my successors in Florida have had the benefit of the suggestion. It was denied me by the agent of Government, and that denial not even rebuked by the Secretary of War. See Major Hogan's letter (3) to that functionary, and his reply, (4) dated, respectively, March 28 and April 12. For the standing and qualifications of the two majors named by me to bring on the Indians, see Governor Eaton's letter (5) to me, dated March 7, and General Clinch's notes (6) of introduction. General Woodward is too highly distinguished both as a commander of and against Indians, to require a word of support in this place; and it will be seen in the agent's (Major Hogan's) letter (7) to me, dated the 1st of February, that he thought he could, "in ten days, raise [me] 1,000 warriors, and be on the march to join" me.

9. Want of guides.

Eustis and Lindsay, as shown by their testimony, had no competent guides, and could obtain none. Clinch's column was rather less badly provided in this respect, yet he had not a guide who knew any thing of the intricacies of *The Cove*, a Cretan labyrinth, held from the knowledge of the white man, as the sacred groves of the Druids were never entered except by the initiated. In short, all the difficult parts of Florida were, to the whole army, one *terra incognita*. Government gave me no topographical information, nor had any to give; and the booksellers' maps only afforded outlines filled up with unlucky guesses.

10. The limited time for active operations.

From preceding causes, and deducting the time unavoidably lost at Tampa, (8) the columns of Clinch and Eustis were actually in the field,

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| (1) Letter of Captain Shannon to the Quartermaster General, April 11, Doc. No. 154. | | |
| (2) Doc. No. 83. | (5) Doc. No. 88. | (8) Testimony of Clinch, |
| (3) Doc. No. 86. | (6) Docs. Nos. 89 and 90. | Eustis and Thruston. |
| (4) Doc. No. 87. | (7) Doc. No. 84. | |

beyond Fort Drane and Volusia, only about twenty-two days. The testimony of both Clinch and Thruston shows that I could not have put the right wing in operation from Fort Drane earlier than I did, (the 26th of March ;) and Eustis, with the left wing, crossed the St. John's at Volusia about the same time, to approach *The Cove* by the way of Pelaklik-aha. Clinch, with his wing, was compelled to return to Fort Drane on the 25th of April, the term of service of a part of his volunteers having already expired, and, as he reported (1) to me, the 27th, "men and horses much exhausted by sickness and the heat of the weather. Another day's march would have occasioned the abandoning of a part of the train. Fifteen horses and mules died on the road, and eight more turned out that could not be got along by leading."

Eustis, with the left wing, (which I accompanied from Tampa,) was, in like manner, and very much in the same condition, compelled to return to Volusia, on the same day, April 25.

Colonel Smith, who had, with his regiment, the Louisiana volunteers, been detached by the way of Charlotte harbor, up Pease creek, about the 12th of April, returned to Tampa the 26th, and embarked for New Orleans, according to orders, where the regiment arrived, I think, a little after its term of service had expired.

The battalion of Floridians sailed from Tampa about the 17th of April, for the Withlacoochee, on its way to St. Mark's, where it was discharged. I do not know when this battalion was mustered into service.

The centre column, under Colonel Lindsay, which at first included Major Read's battalion, having arrived by steam from Mobile, at Tampa, was the first of the three columns under my orders in the field. On the 15th of March, he put himself in movement, established a post on the Hillsborough, 23 miles from Tampa, called Fort Alabama, as a place of deposite, and advanced towards *The Cove* as far as Chickuchatty, which he reached about the 24th, the letter (2) advising him of the delay in the movements of the two other columns having reached him subsequently.

This column, consisting principally of the Alabama regiment of volunteers, under Colonel Chisholm, and several times changed in its other parts, was also the latest in the field by a few days. By my orders No. 38, (3) of the 16th of April, Colonel Lindsay was instructed, on his return to Tampa, after my departure, to make any further movement within the compass of his forces, in the prosecution of the campaign, that might be deemed useful, and then to cause the volunteers with him (the Alabama regiment, and an independent company of Louisianians, under Captain Marks) to be embarked for their respective homes. That embarkation was commenced by him, according to his report, (4) May the 7th, "the rainy season having set in," and it being deemed "impossible to keep the field with bodies of troops without great, and, for any objects that could be accomplished, a wanton waste of life."

Thus terminated, Mr. President, active operations under my command ; and if, from the causes assigned, without decisive results, at least without defeat or check, and without dishonor.

In my report of the 12th of April, from Tampa, I spoke in terms of high commendation of the three principal commanders under me—Clinch

(1) Doc. No. 120.

(2) March 13, Doc. No. 81.

(3) Doc. No. 114.

(4) Doc. No. 139.

Eustis, and Lindsay. Each continued to the last to deserve greater praise than it is in the power of one, under my present circumstances, to bestow. I also had the benefit of Colonel Gadsden's assistance, the chief of my staff, a volunteer in the war, a soldier, and a patriot, who, independent of his particular knowledge of the enemy and the peninsula, of his services with me, and on prior occasions, is endowed with talents and virtues which give him high claims upon the Government and country. The handfuls of regulars who were with me in the field never faltered in difficulty or danger; and if now and then they yielded the post of honor, it was purely in compliment to their countrymen fresh from civil life, who were cherished and assisted on every occasion. Those patriotic volunteers of South Carolina, Georgia, Alabama, Louisiana, and Florida, were, no doubt, many of them, sometimes inefficient, from the mere awkwardness of inexperience; but they very generally brought with them to the war high chivalry, which always inspires the wish of personal distinction, and this was frequently and nobly attained by individuals and detachments.

On the principal commanders and the troops which were under me, I have then only to invoke the approbation of their country. Let its censure, through this Court, fall on me, and me alone, of that army, if all were not done which it was possible to accomplish under the circumstances.

Some questions, Mr. President, were put to as many witnesses of the higher ranks, who have appeared before this Court, to ascertain whether I had failed in any particular, as a commander in Florida, in point of judgment, zeal, or personal conduct. The answers were direct in every instance, but too complimentary to be here reproduced. Let them sleep for the present on your records. They may hereafter be read by those who will not be made to blush for their parent.

A word, sir, as to my *plan of campaign*, I believe that this has been sufficiently developed in the evidence and embodied in this summary. It has been censured by a writer, himself an old officer, and who delights to see himself in print, as being somewhat European, as if it were criminal to import professional knowledge, and who seemed to think that generals ought to make war without plans of any sort. This *vulgar error* has been incidentally, but too signally rebuked by an eminent military critic and political functionary, to be farther noticed in this place. I shall, therefore, here simply quote the opinions of two younger but better soldiers, on the particular plan of operations by me laid down and pursued.

After exploring the country to a great extent, and learning much that was new of it and the enemy, General Clinch says to me, in his report (1) (April 27th) of his operations returning from Tampa bay: "that *the true plan of operations* against them [the Indians] will be that first designed by you; that is, by a force from Pelaklikaha, a force ascending by my [late] route, and a corresponding one on the north side," his first route. This, the Court will perceive, was the precise plan laid down by me for our *first* operations.

Captain Thruston, who, I knew, in March, at Fort Drane, did not altogether approve of the plan of campaign I was about to follow, and with

whom I never again conversed on the subject, was, when before this Court, at a venture, asked by me this question :

"17. The witness became acquainted with the general plan of operations projected by General Scott. With the benefit of the witness's subsequent knowledge of the enemy, and the country occupied by him, what is the witness's opinion of that general plan of operations ?

"*Answer.* When I first heard General Scott detail his plan of operations, I thought he had taken more than necessary precautions, by advancing into the country with three columns, from different points of the peninsula ; not doubting that our wing [Clinch's] of the army would be met by the enemy in force on the Withlacoochee. Nor did I believe that a nation of five thousand people could conceal itself so effectually in the peninsula, south and east of the Withlacoochee, that they could not be traced and found by one army [column or wing]. My subsequent experience taught me my error, and to consider General Scott's plan of operations as the true one."

But, Mr. President, it has been objected to me that, in my first operations (towards Tampa bay) I held the troops in masses unnecessarily large—of 1,900, 1,700, and 1,200 men, respectively. Of this, I became myself early persuaded. But, in connexion with this point, the Court will please look at that part of Colonel Lindsay's testimony, detailing his remarks, and the advice he gave me at Augusta, at the end of January, 1836. I regret that I am obliged here to abridge his evidence. Colonel Lindsay had served with Major General Jackson, against a part of the same Indians, in the campaign of 1818; the "principal object of which was," according to the witness, "to drive the Seminoles from the Georgia frontier across the Suwannee ; that General Jackson carried into the field a force amounting to, perhaps, 6,000 men." This was in reply to my 8th question. To the 6th, the Colonel had previously said "the country east of the Suwannee is infinitely more impracticable than the country west." He adds many striking differences, all against our troops; and it is known that General Jackson's operations terminated on the west bank of that river. In respect to the advice given on the subject of *detaching*, the witness said: "I believe I mentioned to General Scott, that I derived that advice from General Jackson, who, on some occasion, when I wanted to go on detached service, made use of this emphatic expression, 'Sir, I never detach against Indians.' " And again, in the same campaign, General Jackson observes to the witness, "that he never detached or suffered small parties to march through the Indian country." The Court will please to bear in mind the official relation that subsisted, in January, 1836, between General Jackson Colonel Lindsay, and myself; that I had never been in the interior of Florida; that Governor Eaton in his letter (1) to me, of February the 3d, 1836, speaking of the hostile Seminoles, said "their numerical force cannot be less than 3,000, probably more;" that Colonel Lindsay has testified, in answer to my 27th question, what must be evident from the surface of the country, that, from dispersion, the enemy had great facilities of concentration; that I had seen, before the columns advanced from Fort Drane and Volusia, by General Gaines's letter (2) to General Clinch, dated the 29th of February, that the writer supposed himself to have been surrounded, in Camp Izard, by

"not less than 1,500" warriors ; and that although he had from 1,000 to 1,100 good troops with him, I saw that he neither could pass the Withlacoochee, nor had ventured to make a sortie. All these considerations induce me, Mr. President, to hold the troops under my command in three columns, until I could feel my way a little, and judge for myself. When I had satisfied my mind that there were not, in all Florida, more than 1,200 Indian warriors, probably less ; and that, of that force, perhaps not 500 had been concentrated at any time in the war, the Court will find that I then became a little bolder, and detached freely and far, in all directions ; and it is gratifying to recall, that notwithstanding all the bugbears by which I had been for a moment frightened from my bent, not a disaster—not one defeat ensued. I speak, sir, of detachments *beyond supporting distance* ; for all the columns were habitually subdivided, within that limit, in searching for and attacking the enemy.

The first of those distant detachments was that of 340 men left under Major Cooper, only 12 miles south of the Withlacoochee, and which gallantly maintained itself from the 2d of April till the 18th, when it was absorbed on the return of Clinch's column. Major Cooper commenced a work of defence, but the enemy gave him no leisure to complete it. General Eustis, approaching Tampa, brought his mounted men to that depot ; but left his foot, from the 5th of April till the 18th, at *Camp Shelton*, under Brigadier General Bull, sixteen miles in the rear, without even a breast-work for its defence. With the same body of foot I myself marched to Fort Alabama, whilst the South Carolina horse, under Colonel Goodwyn, was on the distant service of searching for the enemy about the head of Pease creek. At the same time Colonel Smith, and his Louisiana volunteers, fit for duty, (about 400,) with small parties from the United States ship *Vandalia*, under Lieutenant Powell, and from the revenue cutter *Dallas*, under Captain Green, scoured the lower part of that creek, to the extent of about 60 miles from Charlotte harbor. Colonels Smith and Goodwin thus visited what we had supposed to be among the favorite haunts and strong-holds of the enemy. I, myself, on the 20th of April, with a single company of South Carolina horse, marched from the Big across the Little Withlacoochee. Again, on the 24th, with but two companies, I went to Volusia, a day ahead of Eustis's column ; sent a small detachment on the 25th to scour the country east of Spring Garden lake, and personally proceeded with Colonel Gadsden, Captain Canfield, Lieutenant J. E. Johnston, and 17 men, in a miserable little steamer, to explore the St. John's river to the head of lake Monroe. General Clinch and Colonel Lindsay also made detachments about the same period ; and I had detached Major Read, with the battalion of Floridians, by water, to search the lower Withlacoochee, as early as the 17th.

As this last expedition was the only one made under my command that failed to reach the destination given, and to accomplish its objects, and for that reason alone has brought upon me infinite obloquy, I beg the Court will pardon me for dwelling upon it a moment.

It has been seen by the deposition of Mr. Newcomb, the quartermaster at Tampa in April last, that, by extraordinary exertions on his part, and not a little energy on mine, ample and even extra means were provided for Major Read's small battalion of, perhaps, about 200 men. First, there were two large and one smaller schooner ; *two* (instead of *one*) cutters, (under Midshipmen Reid and Drake,) manned and furnished, at

my request, from the United States ship the *Vandalia*, Captain Webb; a large scow, in pieces, but with mechanics, nails, oakum, and pitch, so that it might be put together and launched in two hours; many ship-boats or yawls, and pilots. The deponent, an experienced and excellent officer, declares, in respect to the sufficiency of those means, both for transporting the troops to the mouth of the river and for ascending it: "I did not doubt, nor do I know that any body else did; I do not think Major Read himself doubted, although he attempted to find fault with the means."

But let us now see what use was made by the Major of the outfit thus furnished. I shall quote his report (1) to me, which is dated April the 27th. Being, himself, near the mouth of the Withlacoochee, he says:

"I despatched all the small-craft to the transports, with orders to the officers in command aboard of them to commence debarking the men as fast as possible." * * * * "On the return of the boats, transporting as I had ordered, as many men as they could receive, the morning reports of the officers in command were handed me, by which the frightful picture of an increase of forty (40) to the sick-list, in less than two days, was presented. Special communications from the surgeons were also handed me, in which the most horrible consequences were predicted, unless the men could be taken *forthwith* to some place where medicines and good water could be procured. The water on board the schooner *Caroline*, it was said, had already become putrid. Without going aboard, I despatched an order for [the transports to] hoist all sail, and to proceed with the utmost possible despatch to St. Mark's, the nearest port. I remanded aboard the transports the detachment first ordered to debark, and directed a select number of *ten* (?) to join me on board the small-craft for the purpose of making the *reconnaissance* and surveys, which I find, upon perusing my order more carefully than at first I did, were the principal objects of the expedition." * * * * "When informed by the pilot that we were almost at the mouth, I went myself into the second cutter of the *Vandalia*—it draws less water than the other—taking with me only two of my detachment." * * * * "When I had gotten over the bar, I proceeded some two miles and upwards, to within a short distance of a large smoke, the fire that afforded which was, perhaps, three miles distant. I deemed [it] not prudent to go further, and caused the boat to return"—when the major proceeded to St. Mark's after his battalion.

Here I will not say, Mr. President, Why all this fire and haste? But I may ask, sir, Whence all this smoke and precipitation? Some parts of the report are, doubtless, as obscure as others are strange. For example: When the major heard of the new cases of sickness, how many *well* men were left? He does not tell us. The water, too, on board of the *Caroline*, had suddenly become putrid, and the medicines deficient. How so? Why not have gone to the transports in order to inquire into those extraordinary matters in person? And was there no good water on board of the other vessels, or in the *Withlacoochee*—at the farthest, within nine or twelve miles, at the falls? We have seen that there were many well men remaining, ten of whom he retained with him, and sent back others in the boats which had brought them from the transports. Why not have retained all these, and have sent for more to enable him to ascend the

river in his smaller vessels, scow, &c.? In that case he might have passed through the "large smoke," and have reached the falls. But the major appeals to his "order," and I shall exhibit both his *instructions and orders*.

By my directions, Colonel Gadsden, on the 14th of April, gives Major Read, in a letter (1) of instructions, among other matters to be attended to, these: You will embark with "your whole battalion, including invalids and sick, for the mouth of the Withlacoochee; that you come to anchor in the nearest and safest accessible harbor to the mouth of the stream, and that you proceed with your effective force (leaving your sick and invalids on board) with the boats at command, to examine its entrance, and *to penetrate as far as practicable*, and consistent with the security of your command," &c. "You will preserve notes of your observations, and report," &c., "detailing minutely the character of the anchorage at the mouth of the Withlacoochee; the navigability of that river for boats; the probable distance to which it may be penetrated; the character of its banks, and the facilities generally afforded for the forming of depots, with a view to supplying an army operating hereafter on or near its waters. This duty performed, you will proceed to St. Mark's, Florida, in the transports, where your command will be honorably discharged," &c.

Mr. De Peyster, a gentleman of Florida, and then a volunteer in General Eustis's staff, has said, before this Court, that he was at my quarters the day before (the 16th of April) Major Read embarked, when that officer called on the subject of his expedition. The purport of this witness's answers, as the Court will perceive, is, that two days after the written instructions to Major Read, I endeavored, in the most impressive terms and manner, to point out to him the importance of the expedition to ulterior operations; called his attention specifically to the necessity of examining the river and making a sketch or draught of its soundings and course *up to the foot of the obstruction or falls*, believed to be twelve miles; and that I desired Major Read to select a point, for a future post, with reference to wood, as near those falls as practicable.

In respect to every object, except the mere entrance into the Withlacoochee, we have seen that the expedition was a signal failure.

The first knowledge that I had of this most unexpected result, was received May the 1st, at St. Augustine, through a letter (2) from Governor Call, dated April 26, and which gave me the more astounding intelligence, viz: "A few days since I received a communication from Major McLemore, stationed on the Suwannee frontier, informing me that, under orders from General Scott, he had ascended the Withlacoochee river, and erected a block-house on the south bank, some ten or twelve miles above its mouth, and that he had left a garrison of 40 men in the block-house, and a large quantity of corn and pickled beef. This morning, at day-light, Major Read, of the Florida battalion, arrived at [Tallahassee] bringing the intelligence that he discovered, at the mouth of the river, one-half of a large flat-boat, which had been cut in two apparently with a dull axe, and by an unexperienced hand. His description corresponds with that given of the boat left at the block-house," &c.

As this letter was addressed to me, *or the commanding officer at Fort Drane*, like the report (3) dated April 11, of the establishment of the

(1) Doc. Nos. 112—113.

(2) Doc. No. 123.

(3) Doc. No. 123.

block-house, and signed by Major McLemore's adjutant (McCants,) both papers were read by General Clinch, and together transmitted to me. I have said that I received them on the 1st of May.

The Court has seen, Mr. President, the correspondence⁽¹⁾ between General Clinch, then at Fort Drane, and myself, on this most painful subject. The time of his volunteers having expired, or being about to expire, he had already sent most of them home; and in his attempt to raise a party of mounted men in the Alachua settlements, to go to the relief of the block-house, he utterly failed. I early became satisfied that General Clinch, under the circumstances, did all in his power in adopting the second suggestion of Governor Call, viz: "but should it be impracticable for you to send a sufficient force by land to ascertain [the fate of the party in the block-house,] I have ordered a fortified boat to be in readiness at Suwannee Old Town, to proceed with a part of the men at that place to the relief of the garrison, and transport it back to Old Town, unless the commanding general should otherwise direct. You will, therefore, be pleased to send an express to Major McCants, commanding at Old Town, and inform him whether troops have been sent by land to the relief of the block-house, or whether the boat which will be in readiness shall be sent on that service." General Clinch sent the order for the boat to proceed, and the detachment in the block-house was ultimately taken off by Major Read, and without firing a gun.

It is in evidence that Major Read's report to me, (of his first expedition,) though dated the 27th of April, came to hand at Columbus as late as the 8th of June, when I had not the leisure to give attention to it, even if it had been less illegible; and thus it happened that I never knew its contents, until, with some accidental assistance, the Judge Advocate made out to decipher it before this Court. The last paragraph of this report appears to be as follows:

"I discovered, at the mouth of the [Withlacoochee,] the half of a flat-bottom boat—a common ferry flat-boat, it appeared to have been. It had been cut asunder," &c. "When I arrived at St. Mark's, I learned, to my astonishment, mortification, and regret, that your excellency [General Scott] had ordered Major McLemore to establish a depot at that place," &c. "All of which was studiously concealed from me. I did not learn either from your order or from the numerous interviews I had the honor to hold with your excellency, that Major McLemore was even in the field—much less that I was going to relieve a detachment of his command ordered out by your excellency."

The Court has seen my report⁽²⁾ upon this subject to the Adjutant General, dated at St. Augustine, May 11th, which was founded on Governor Call's letter noticed above, and an article in a newspaper, handed to me as the production of Major Read. I said that he, Major Read, "has, at Tallahassee, caused a statement to be made, declaring that I had refused him permission to ascend the Withlacoochee! And, again, presuming the statement to have been furnished by him, he denies having ever heard that, *possibly*, he might find a block-house and garrison established near the falls of the river. Now, I affirm that it was generally known, throughout the right wing of the army, that it was just possible that Major McLemore, a highly meritorious Floridian, had made such

(1) See Doc. No. 123.

(2) See Doc. No. 119.

establishment. The possibility was mentioned to Major Read, and although Colonel Gadsden, by accident, omitted the subject in the letter of instruction, yet, when the major saw half of a flat, rudely cut in two, [so Governor Call had written,] *that* which was extremely doubtful before, became a matter of the most perfect certainty; and, if the major had been bound home, without other orders, it immediately became his imperative duty to go instantly to the relief of his countrymen. The flat could never have belonged to Indians, and it would not have been destroyed if the garrison had returned by water to the Suwannee; and Major Read knew it could only have returned by water."

Now, sir, I did not say in this, or any other letter, that *I* had told Major Read any thing of a detachment having been permitted to visit the Withlacoochee about the end of March. The Court will presently learn *how* it happened to be omitted in Colonel Gadsden's letter to Major Read, and by me in conversation with the latter. Nevertheless, the subject was not forgotten(1) at headquarters, nor had ceased to be occasionally mentioned among the officers who had come down to Tampa from Fort Drane. One of these, Captain Drane, has testified before this Court that he, at Tampa, stated his impression to Major Read that "there was a detachment of Floridians on the Withlacoochee with provisions"—the witness having heard "at Fort Drane, [and thinks] General Clinch had stated it to [him,] that Major McLemore had volunteered his services to go to the mouth of the Withlacoochee."

I do not here, Mr. President, imbody this testimony to contradict Major Read, but simply to account for the strong language applied to him in the letter last quoted. Two of the harsher expressions therein contained are here intentionally suppressed. I had not in May, as has been seen, received his report. I, at that time, verily believed, on the opinion of others, as well as from internal evidence, that the false assertions of the article in the Tallahassee paper were from his pen or his lips; Governor Call's letter had said not one word as to the causes which led to the failure of the expedition—the spread of sickness among the men, the want of medicines, and the want of good water. Now, sir, although I think that at least two of those causes might have been guarded against by due foresight and activity on the part of the commander, and, when reported to him, ought to have been closely scrutinized in person, before abandoning the great objects confided to his intelligence and conduct, I am not only unwilling to reproduce those harsher imputations, but regret that they were ever made. Sir, up to this day, I have received no note or message of any kind from Major Read. My recantation is founded on the recent assurance of a friend, (General Clinch,) that Major Read had no agency in the published article alluded to, and his previous and subsequent gallantry and good conduct in the same war against the Seminole Indians.

In the deposition of Colonel Gadsden, (which is in evidence,) he gives the history of the block-house on the Withlacoochee thus:

"Major McLemore *sought* the service by a private letter to the undersigned, stating that he had, on the Suwannee, a boat suitable for the expedition, and supplies which he could bring with him to that point—if with the consent and approbation of General Scott. The following is

(1) See Colonel Gadsden's second deposition.

the reply penned by me, and by the direction of the general, to whom it was read before transmitted."

I beg, Mr. President, that the Court will again read every word of this letter. I regret that I am too much fatigued to embody it entire in this summary. The perusal of it will show how unnecessary it was deemed at Tampa to call the attention of Major Read specifically to the very remote chance of his finding any detachment on the Withlacoochee. Nevertheless, though it was more than a hundred to one that the detachment was not there, as late as the 14th of April, or even the 4th, if the major could have ascended only seven miles higher up that stream—and nobody doubted that he *could* and *would*—he would have found the gallant band still firm in its position.

The letter to Major McLemore is dated at Fort Drane, March the 25th. Colonel Gadsden begins by giving to the major the outline of my plan of operations: says "the whole army will probably form a junction at or near [the Cove] by the 29th or 30th instant. It is impossible, at this time, to anticipate the ulterior operations of the army after it has encountered and defeated the enemy in their probably stronghold, in *the Cove*." &c. "It is more than probable, however, that we may be detained in that vicinity many days, reconnoitring the hammocks, and searching for Indians in the jungles and thickets of that section of country. If so, your co-operation, and the supplies which you report you can bring, may prove of essential service. I am directed, therefore, by the general commanding, to say that, after securing the post on the Suwannee with an adequate garrison, you *may* proceed with the remainder of your command, in the boat you have prepared for the service, provided, in addition to your own supplies, you can transport from 750 to 1,000 bushels of corn, at least, for the use of the army. Should your boat be properly *secured*, as you report, with *bulwarks*, you may enter the river and ascend to the rapids," &c. "You must be at that point by the 30th instant, or you will, possibly, be *too late* to afford any aid to this wing of the army—the sole motive which sanctions the service to which you have been called." * * * * "As your movement is intended to assist, and not to embarrass this wing of the army, you must not move without an adequate supply of ammunition, and from 30 to 40 days' rations for your whole command, at the least, in addition to the corn you may transport for our relief." (He is then requested to bring, if possible, extra "pork or bacon." "On reaching the point on the Withlacoochee designated, you will use all due precautions to secure your boat and command, by building a block-house, or by the construction of some other defence, until you hear from or of the army. If, after, however, the 2d or 3d of April, you receive no tidings of or from this wing under the command of General Clinch, you may be sure that it has proceeded *south*, to unite with Eustis and Lindsay; and, having left the Withlacoochee, your detention on its waters will be no longer necessary. You will, therefore, return, without delay, to your post on the Suwannee, and there wait the future orders of the commanding general, or those which may be transmitted to you by the Executive of Florida."

Colonel Gadsden's deposition adds, in continuation of this history: "It appears, however, from information received from one of the men who was in the block-house, that the detachment did not reach the mouth of the Withlacoochee until the 4th or 5th of April, *two days after it had been ordered to quit it*; and when General Scott" had reached the vicin-

ity of Tampa bay. "Notwithstanding, however, its fearless commander, and on his own responsibility, penetrated the river, established a block-house, and left it garrisoned—with a promise to return and relieve it in 9 or 10 days. Unfortunately, however, as he entered the Suwannee, he was assailed with a fever, and fell a victim to its effects."

Thus perished, Mr. President, a valuable citizen, whose patriotic zeal, pushed a little too far, has brought upon me, unintentionally, I know not what amount of general odium. This I have long borne in silence; but, sir, the star of truth approaches the zenith, and, as it sheds its light over this Court and the public, the deep shades of calumny are made to disappear.

In relation to the Florida campaign, Mr. President, I have one point more to notice, and I shall have done.

Among the prodigious mass of documents, turned over by the different officers of the War Department, to be read by the Judge Advocate in evidence against me, as if to crush, by their physical weight, if they could not otherwise effect their purpose, there is from the Hon. J. M. White, the Florida delegate in Congress, a letter(1) dated at Washington, May 28th, to the President of the United States, with an endorsement in the hand of the latter, which directs—"*A copy of this letter to be sent to General Scott, with an order to withdraw from the command in Florida.—A. J.*"

Of this endorsement I had no knowledge, until the original was read in this Court. What were the feelings which it excited, I will not say; but the association of circumstances recalled to my mind may be inferred from the following.

To my elaborate report of what I had done, and of the operations projected, the Adjutant General, May the 5th,(2) replied:

"Your communication(3) of the 12th of April, reporting the operations of the army in Florida under your command, since your departure from Fort Drane, and your arrival at Tampa bay, has been submitted to the President, and this day to the Secretary of War. I am happy to inform you that the President approves of your intended plan of operations," &c. "I am desired by the Secretary of War to say that, from the tenor of your report, as well as by the communication he has just received from the Governor of Florida, it is probable that, owing to the approaching season of the year, the campaign in the field cannot be much longer vigorously pushed. In this event, you will make a judicious selection of the posts necessary to be occupied by the troops during the interval of active operations, which may be best calculated to protect the frontier inhabitants, and prevent Indian depredations of any kind. For this purpose, all the regular troops, including the 4th infantry, must be kept on duty in Florida."

As I had intimated in my letter of April 12th would be done, all this had been attended to before the receipt of the Adjutant General's communication, and which is here cited principally to show that, certainly as late as the 5th of May, no *displeasure* had been officially expressed against me at Washington.

But in my report(4) of the 11th of May, animadverting upon Major Read, and which, according to a note on the original (now in evidence)

(1) Doc. No. 142. (2) Doc. No. 118. (3) Doc. No. 163. (4) Doc. No. 119.

was received at Washington the 21st—seven days before the date of Mr. White's letter to the President of the United States—there is this paragraph:

"I feel and know the risk I incur by the use of this language. Major Read is the favorite of Governor Call, and his excellency's support may well turn the tables against me at Washington."

Sir, I had seen, among the papers which accompanied the instructions given me for the Seminole war, a letter(1) (in evidence with that document) from General Call to the President of the United States, dated January 9, 1836, in which the writer says:

"I should be highly gratified to command the army, and believe that I could soon bring the war to a close. I fear, however, this I cannot do, without injustice to General Clinch. He is a brave and good man; but I fear he is too slow in his movements to conduct a war against the Indians."

With an official copy of this letter in my possession, it may be supposed that I knew my danger. But, sir, I do not complain that, soon after my animadversions on Major Read, he was appointed by the President a brigadier general in the militia of Florida; that a lieutenant colonel of the army, whom I reported in my letter of March 20th(2) as having left Fort Drane for duty elsewhere, but went off to Washington, was in a little time rewarded with a colonelcy, *not* by seniority; nor that the President's endorsement on Mr. White's letter was soon followed by Governor Call's being "gratified" with the direction of the war in Florida. But, sir, I have, in defence, a right to advert to those extraordinary facts to show that, if, in my operations to the South, I had the enemy to conquer in my front, I was, at the same time, not a little insecure in my rear. The effect of such position every soldier will readily comprehend; and I respectfully submit the point to the consideration of this Court. A yet more extraordinary fact, of the same general character, will be developed in the sequel; but, at present, I will return to Mr. White's letter to the President of the United States.

I think, sir, that I have shown that this letter did not do me all the injury that was intended at the time. But why, sir, is it brought here, with its endorsement, in accusation against me? Mr. White, in a letter(3) to the President of this Court, dated December 13, 1836, says:

"This places me in an attitude that I do not choose to occupy." * * *
 "Since the publication of that letter, [to the President of the United States,] I have, in the National Intelligencer, over my own name, as an act of justice to General Scott, corrected, upon better information, the complaints which I deemed it my duty, as the representative of the people of Florida, to make against him. I am unwilling that the first letter shall be laid before the Court without the second; and, as I have no copy of it with me at present, I take this occasion to say that I am satisfied, upon a full and impartial review of the facts and circumstances connected with the Florida campaign, and upon evidence not then before me, that the failure is not to be attributed to Major General Scott, nor to causes which it was in his power to control or to remove."

This voluntary and unsolicited retraction is manly and noble. In my judgment and feeling, it shows the correspondent of the Court to be

(1) Doc. No. 6.

(2) Doc. No. 94.

(3) Doc. No. 144.

worthy of being called *the honorable* Mr. White, by a higher claim than that of mere courtesy. It is true, sir, that, in his recantation, he excepts what he had originally said of my Order No. 48, on the subject of panics. I know not that this reservation ought to break squares between that gentleman and myself. The order, although there were many apologies for the inhabitants, was founded on information at once full and precise; and, as I said of it in my letter to the Secretary of War, dated June 21st, "Besides, I was advised by respectable citizens of Florida to come out with an order in that spirit, as likely to rally the inhabitants; and I have reason to know that the order did good." If good resulted, I am content with the enmities I brought upon myself by the act; for, sir, since the war began to rage in that quarter, there has not been a moment, up to this time, when I would not have made any sacrifice of person to have stopped its ravages. I deeply mourn over the many afflictions the good people of that desolated Territory have experienced; and I freely forgive, as I pray that God may forgive, the injustice of laying those evils, in part, to my account.

II.—DELAY IN OPENING AND PROSECUTING THE CREEK CAMPAIGN.

Mr. President: Through much labor, and several weeks of indisposition, I have at length reached, in this summary, the second general head of inquiry directed against me; and here, again, the evidence in my favor is ample and overwhelming. The whole of this I anxiously desire to compress and embody; but fear that my diminished strength will prove unequal to the task. The records, however, are before the Court; and on its researches, as well as its intelligence and justice, I confidently rely.

On the 15th of April Mr. Secretary Cass wrote⁽¹⁾ to me to say that, as soon as the state of affairs in Florida would permit, he wished me to direct my attention to the Creek Indians, and to adopt such measures as I might "find necessary to preserve or restore tranquillity in that part of the country." By accident, this letter was not received before the 20th of May, as is shown by Major Kirby's endorsement.

In the Secretary's next letter,⁽²⁾ dated May 16th, my attention was again strongly called to the Creek country, with power to require troops from Alabama.

From the same source I received a third letter,⁽³⁾ dated the 19th of May, transmitting, "for [my] information, a copy of a letter [that] day addressed to Brevet Major General Jesup;" in which copy it is said, "Should Major General Scott, under the instructions he has heretofore received, proceed to the theatre of operations, he will, of course, be entitled to the command, and you will serve under him."

On the 19th of May it was known at Washington that I was, about the beginning of the month, sick at St. Augustine; and hence the doubt whether I had proceeded to the Creek country. The 19th was two days prior to the receipt of my letter⁽⁴⁾ of the 11th, animadverting on Major Read, and nine before the date of Mr. White's letter to the President of the United States.

On the 12th of June, a fortnight after I had reached the Chatahoochie, I received another letter⁽⁵⁾ from the acting Secretary, (Mr.

(1) Doc. No. 115.

(3) Docs. Nos. 158 and 159.

(5) Doc. No. 141.

(2) Doc. No. 155.

(4) Doc. No. 139.

Harris,) dated the 1st, and directed to me at Fort Mitchell, in which was enclosed a copy of Mr. White's, without the President's endorsement, and without the slightest allusion to it. After adverting to a previous letter, (of May 25th,) enclosing me a copy of the *full instructions* to Governor Call to assume, in a certain event, the command against the Seminoles, Mr. Harris concludes: "I am instructed to inform you that, under these circumstances, the President deems it unnecessary for you to return to the command in Florida."

Now, on the 20th of May, immediately on the receipt of the letter of the 15th of April, I had charged Brigadier General Eustis with the full command in Florida, and had personally set out for the Creek country.

Behold me then, Mr. President, from the 31st of May to the 6th of July, (the day on which the letter of recall reached me,) in the larger, and, at the moment, the more important command, against the Creeks, without having heard that my conduct in Florida, even my letter respecting Major Read, or Mr. White's to the President, had led to the expression of one syllable of official displeasure at Washington. On the contrary, sir, the letter from the Adjutant General, (of May the 5th,) written by command of the President, on the receipt of my report from Tampa bay, contained expressions of decided approbation; and the Secretary's letters of the 16th and 19th, written after the receipt of mine of April the 30th, reporting that active operations, in Florida, had terminated for the season, contain nothing but the language of consideration and respect. The elements of discontent, it seems, began to lower and mutter between the 21st(1) and 28th(2) although I heard them not; but, when a celebrated letter reached Mr. Blair, the storm thickened, the clouds were rent, and I was struck by the winged bolt on the distant banks of the Chattahoochie. I must not, however, sir, anticipate.

Before leaving St. Augustine, as I reported(3) from Savannah, May 22d, I "ordered the new musket accoutrements, [about eighteen hundred,] the new arms, [seven hundred and fifty of Hall's patent rifles,] and the new tents, from Picolata and St. Augustine to Augusta, and also some spare fixed ammunition from the former place." The route of these articles was immediately changed, after writing this letter, from Savannah *via* Augusta, &c.—from Savannah, by the way of Darien, the Altamaha, and Ockmulgee, to Hawkinsville or Macon; distant from Columbus, Hawkinsville about one hundred and ten miles, and Macon about eighty-eight. This change of route was made upon the information of the Hon. Mr. Justice Wayne, and the assurance of the agent of the Navigation Company, then in Savannah, that the Altamaha and Ockmulgee would remain navigable for common boats, if not for steamboats, many weeks longer; and which assurance, aided by a long succession of heavy showers, was more than verified. The Court has seen that the rifles, accoutrements, &c., took this latter route, instead of ascending the Savannah river, to Augusta, and thence by land two hundred and twenty miles, to Columbus.

Having transacted other business in Savannah, the Court has seen that I was at Augusta on the 25th of May. Here I learned that, by orders from Washington, a large quantity of subsistence had been purchased in Charleston, to be transported thence by land-carriage, *via* Augusta, to

(1) Date of reception of Gen. S.'s letter of May 11th.

(2) Date of Mr. White's, with the President's endorsement.

(3) Letter to Adjutant General, Doc. No. 160.

Columbus, and immediately directed Lieutenant Dimmock, the quartermaster at Augusta, to write to Charleston to cause that subsistence to go by the way of Darien, for the reasons already mentioned. This letter, however, did not arrive at Charleston in time, which produced, at Augusta, a part of the embarrassment experienced at this place in obtaining wagons. (See Lieutenant Dimmock(1) to me, May 29th.) Subsequent instructions were given by me in respect to all the other heavy articles which, by orders from Washington, were to take the route from Charleston *via* Augusta.

According to the testimony of Major Kirby, I called, when at Augusta, for a return of property at the United States arsenal near that city; marked upon the return the arms (including the only six-pounder fitted for the field) and ordnance stores which I thought might be wanted, and ordered that the articles so marked should be forwarded to Columbus. The arsenal contained no accoutrements, and few or no cartridges for muskets. (See Colonel Lindsay's testimony.) It contained, however, several thousands of muskets.

But *this*, sir, was my position in respect to arms: 1. I had already ordered, from Florida, seven hundred and fifty rifles, complete, and eighteen hundred musket accoutrements; because I had learned, by recent experience, as is in evidence, that the United States Southern arsenals contained neither of those articles, and I wanted them *to make up deficiencies*. 2. I did not know, nor could I tell until I could see Governor Schley, at Milledgeville, what muskets he might want to arm the troops he had ordered to the Creek country. 3. I confidently relied, as a farther resource, should it be necessary, on the United States arsenal at Mount Vernon, from which, by steam, arms, &c. might have been obtained more promptly than by wagons from Augusta; and I had then in my possession, transmitted by the Adjutant General, a letter(2) from Captain Harding to Governor Clay, dated February 8, 1836, which showed that there were, at that date, in the Mount Vernon arsenal, "ten thousand superior new muskets, with buck-shot and ball-cartridges, and ten pieces of field-artillery completely equipped." 4. I arrived at Milledgeville the 28th of May, when I learned that the State arsenal being deficient in arms, the Governor had, the day before, required from the arsenal at Augusta one thousand muskets, &c., which his excellency had thought would be enough to make up deficiencies, even before he knew that I had ordered to Columbus the seven hundred and fifty rifles (mentioned above) for a like purpose. See Major Baden's letter(3) to me, dated May 31st, enclosing the requisition(4) of his excellency, dated the 27th. Major Baden said to me, in that letter: "I have this day turned over to the assistant quartermaster here, for transportation to Columbus, * * * * one thousand muskets;" but not the accoutrements, (also required,) because there were none in the arsenal.

Well, sir, I reached Columbus on the 30th of May. Many companies of the Georgia line, ordered out by the Governor, had preceded me, and others were coming up daily. It was soon ascertained by Major Kirby, the mustering officer, that the troops had brought with them a smaller number of arms, and those of a more inferior quality, than Governor Schley and myself had expected. (See testimony of the major under my

(1) Doc. No. 171.

(3) Doc. No. 168.

(2) Doc. No. 177.

(4) Doc. No. 169.

15th question, and the deposition of the Hon. Colonel Dawson, M. C., in answer to my third interrogatory.) The heavy rains which had been falling for a week, and which, by carrying off bridges and rendering bad roads worse, also soon alarmed me on the subject of the thousand muskets coming from Augusta, and the rifles and accoutrements from Hawkinsville. Accordingly, on the 3d of June, I addressed the urgent letter (1) of this date to Captain Harding, commanding the United States arsenal at Mount Vernon, in which I said:

"On the receipt of this you will lose no time in hiring a steamer of light draught of water, and put on board of her, for this place, four pieces of ordnance—two howitzers and two six-pounders—with harness and implements complete, and at least one hundred and fifty rounds of ammunition (fixed) for each piece. If you have no howitzers, you will send four six-pounders. Let the greater number of rounds of fixed ammunition be grape and cannister, with some shells for the howitzer, and some round shot for the six-pounders. Put on board the same boat three thousand *stands* of muskets complete; but I fear you have no accoutrements. Nevertheless, send the arms, with prickers, primers, &c. Send, further, one hundred thousand rounds of fixed musket buck and ball, and some buck cartridges, and fifty thousand flints. I rely upon your using the utmost despatch," &c.

In his reply, (2) dated June 14th, Captain Harding said to me, that "the Governors of Alabama and Florida have completely exhausted my stock of arms and ammunition," and hence he had sent my requisition to the Baton Rouge arsenal; that "Governor Clay has drawn from this depot the following ordnance and ordnance stores, to wit: four six-pounders complete; six thousand eight hundred muskets complete; one hundred and seventy-five thousand buck-shot and ball cartridges; three hundred and seven six-pounder canisters; one hundred and five six-pounder strap-shot; nine thousand seven hundred flints; one thousand four hundred and ninety-two sets of infantry accoutrements; fifty yards of slow match; one thousand priming-tubes, and one hundred and thirty-three port-fires. Of the above, six thousand muskets, the four pieces of ordnance, and a due proportion of other stores, were shipped to Montgomery; and the balance were ordered to Claiborne, for the troops called out by the Governor, and to be rendezvoused at Irwinton, Barbour county, in this State. I am at this moment engaged in preparing ammunition, and shipping it to Montgomery, which I shall continue to do until the close of the campaign."

Now, when it is recollected that Montgomery is less than fifty miles from Tuskegee, the headquarters of the Alabama line, the Court will begin to see by what superior energy and despatch Major General Jesup was enabled, without giving me the least intimation, and against my orders, to commence operations on the 12th of June, and to invert my plan of campaign! At Tuskegee, he found the troops in great numbers, already assembled, and armed from the United States' arsenal conveniently situated in the rear. But to return to my situation on the Georgia side of the enemy.

I have said that I arrived at Columbus on the 30th of May, accompanied by his excellency Governor Schley, Major General Jesup, Major Kirby, and Captain Parrott; the three latter of the army. I had not with

(1) Doc. No. 178.

(2) Doc. No. 179.

me one staff officer—not even an aid-de-camp—except Paymaster Kirby; but he was, as I have elsewhere said, almost a host within himself, performing, in rapid succession, the duties of adjutant general, inspector general, quartermaster general, &c.; but even his zeal and abilities had their limits, and I found, at Columbus, no staff officer, and no depots or stores of any kind. On the latter point, see the testimony of Major Kirby. Every thing was still to be collected or created, and organized. No assistance, and no stores of any kind had yet arrived, or was near at hand, by any order issued at Washington.

The instructions for General Jesup I hastily drew up, when already much indisposed. I had left St. Augustine in a convalescent state; but, travelling night and day from Augusta, in storms of rain, I had now relapsed. (1) General Jesup set out for the headquarters of the Alabama line, at Tuskegee, on the 4th, and took with him Captain Parrott.

The Georgia troops continued to arrive at Columbus as late as the 23d of June. Of the regulars, one company (Captain Monroe's) reached that place on the 14th; Major Lomax's small battalion, that of Major Pierce, and Colonel Henderson's first detachment of United States marines, followed at intervals of two, three, and five days. The remainder of the United States troops came even a little later. And here it is proper to say that not a man was in the field by *my* order. The regulars were all sent from the North by directions from the War and Navy Departments, and the volunteers, mediately, at least, by the Governors of their respective States.

Hearing from passengers arriving at Columbus, in the public coaches, from the East, that the wagons loaded with the muskets, &c., sent by Major Baden from the Augusta arsenal, were much delayed by the heavy rains, and consequent injury to the road and bridges, I despatched, on the 13th of June, an intelligent volunteer, John Crowell, jr., Esq., remarkable for his zeal and energy, to proceed rapidly until he should meet the train, and then to hire extra wagons, distribute the loads, and force the whole to move day and night towards Columbus. See his report (2) to me, dated the 16th, and the deposition of Governor Schley, (answer to my 23d interrogatory.)

This train, which Mr. Crowell thought would reach Columbus on the 19th, did not arrive until the night of the 20th. On the 18th, not having heard, in several days, any thing of the approach of the rifles, musket accoutrements, &c., which had been expected at Columbus about the 12th, from Hawkinsville, I instructed an aid-de-camp, Lieutenant Betts, to proceed day and night to meet and to hasten on, by similar means, those articles. After he was in the saddle for this purpose, Major Beard, who had been for some time employed in the quartermaster's department on the Ockmulgee, arrived, and assuring Mr. Betts and myself that he (the major) had placed the Hawkinsville train under a most energetic conductor, I permitted Mr. Betts to dismount. Two steamboat accidents had delayed these arms, &c., coming up from Darien to Hawkinsville; and on the road thence a most extraordinary panic seized the conductor and his wagoners, by which several days more were lost. (See Mr. Betts's testimony.) The rifles, accoutrements, &c., did not reach Columbus till the 24th or 25th, after I had moved with the whole disposable force of Georgia.

(1) See Governor Schley's deposition.

(2) Doc. No. 201.

and the regulars, who had come up. Major Alford's mounted battalion was left to arm itself with a part of the rifles, and to follow ; and directions were given for sending down the river the remainder of the rifles, the musket accoutrements, &c., for the use of the troops in advance. Major Alford in a few days overtook the foot, and participated in the operations which ensued.

That every exertion and much foresight had been exhibited by me to obtain the arms, &c., needed to equip the Georgia volunteers, as early as possible—say by the 12th, or, at the latest, the 14th of June—is further and conclusively shown by the depositions of Governor Schley, Major General Sanford, and Colonel Dawson, in answer to my 23d, 15th, and 3d interrogatories, propounded to those distinguished individuals, respectively: to whose depositions I particularly invite the attention of this Court.

If the question be asked, Why I did not take the field, say as early as the 15th of June, with the armed portion of the Georgia line and the only company of regulars (Monroe's) that had then arrived?—the answers are numerous, but I will only here give two: 1. The want of subsistence for four or more days—none having yet arrived, principally from the same causes which had delayed the arms; and this reason will be more fully developed in the sequel. 2. There were not armed men in sufficient numbers (before the 21st of June, the day when the muskets were distributed, and a movement in force actually commenced on the eastern side of the enemy) even to guard the important points on the Chattahoochie; that is, to prevent parties of Indians from escaping across towards Florida. (See on this point the decisive replies—of Governor Schley, to the 22d question; of Major General Sanford, to the 5th and 2d; and of Colonel Dawson, to the 3d, addressed to them respectively.) And so important was this object considered by Government, that the unusual course was adopted of causing Major General Macomb to write to me, with his own hand, (1) June the 25th, as follows:

“The Secretary deems it very important that a strong force should be stationed so as to prevent the escape of the Creeks in that direction, [towards Florida;] it is, therefore, the order of the Secretary of War that you station a sufficient force so as to prevent them making their escape, and taking that direction.” (2)

I apprehend, Mr. President, that it would be difficult to employ language at once more urgent and specific. When I received that letter, I flattered myself that I had in hand the emphatic approbation of Government; for the measure therein enjoined—originally adopted by his excellency Governor Schley, before the Georgia troops had been mustered into the service of the United States—was followed out, after I had assumed the command, in proportion to the arrival of men *with* arms. O! most simple and short-sighted mortal! Only three days thereafter another letter (3) from Major General Macomb, dated June the 28th, followed:

“Sir: I have received, through the Secretary of War, the order of the President to call you to the seat of Government. You will, therefore, on the receipt of this letter, turn over to Brevet Major General Jesup the command of the troops serving against the hostile Creeks, and repair to the city of Washington.”

This command, sir, was brief and emphatic, and I felt it, as it was in-

(1) Doc. No. 255.

(2) See Doc. No. 161.

(3) Doc. No. 256.

tended—a heavy punishment. No cause was assigned—not the slightest explanation of the grounds of offence intimated. I quietly and courteously obeyed; set out for Washington, wearied myself but little with conjectures, and expressed not one. At Norfolk, as I afterwards found to be the fact, the true cause was very fully mentioned to me. I repelled the rumor, which, however, gained at Baltimore; but, on arriving at Washington, I saw the treacherous instrument which had stabbed me in the dark—the original letter from Major General Jesup to Mr. Blair, marked “private,” and only to be shown to the President of the United States!

Since this deep degradation, and lying prostrate under the ban of Executive displeasure, I have been assailed from several quarters, without mercy, and with perfect impunity. I shall cite here but two examples of these petty annoyances, both of which are in evidence, as belonging to this branch of inquiry:

1. General Jesup, at his headquarters in the Creek country, found leisure to write a second letter to Mr. Blair, dated September 3, 1836, and published in the *Globe* of the 26th. This letter(1) was accompanied by two selected letters from me to General Jesup, and his reply, with ingenious notes. To the trick of the publication, and the false impressions given by it as a whole, I may, perhaps, recur before closing this address.

2. A neat little pamphlet,(2) (pink paper,) written in the “Creek country, August 8, 1836.” This was evidently gotten up with the assistance of General Jesup, and the use of his official papers, and which ingeniously mixes together misstatements of facts with false principles. Among the latter, the Secretary’s order, and my measures to prevent the enemy from escaping across the Chattahoochie towards Florida, are ridiculed and derided.(3) The joint production of the general and his captain aid-de-camp is, however, only signed by the latter. The road to favor had been already discovered, and the captain was soon rewarded with the rank of colonel.

A word more, sir, in respect to arms prior to the arrival of the muskets on the 20th, and the rifles and accoutrements about the 25th of June.

Major Kirby said to this Court that he “mustered into the service of the United States forty-five companies of the Georgia troops, at Columbus, early in June. They were generally entirely destitute of arms and accoutrements. The few arms they had were generally unfit for service in the field.”

Soon after this period, it ought to be stated, in justice to Governor Schley, that some wagon-loads of *State arms*, which he had mentioned to me at Milledgeville as being already on the road to Columbus, arrived, which enabled us to arm and despatch several reinforcements, to guard the passes of the river below, in the direction of Irwinton. I have no memorandum of the number of these arms, and I can only conjecture that it might have been from 600 to 800—that is, muskets, and with few or no accoutrements. But, after those arms were distributed, and as

(1) Document No. 265.

(2) Document No. 263.

(3) Yet, before it was known that I would be able to go to the Creek country, the Secretary of War, May 23d, (Doc. 161,) had strongly directed General Jesup to take measures at “the commencement of operations” to “station a sufficient force to prevent the retreat of the Creek Indians into Florida, and also to cut off all communication between them and the Seminole Indians.” Connect this with the letter of June 25 (Doc. No. 255) to me, just noticed, on the same subject!

many troops sent below, or put on board armed steamers, to cruise up and down the river, for the important purposes mentioned in Colonel Dawson's answer to the first interrogatory, and on which duties he was himself placed as a captain—Major General Sanford, in reply to the second interrogatory submitted to him, says :

"Of the troops remaining under my immediate command, *less* than one-third were armed, and those variously and indifferently. Our miserable deficiency, in this respect, was strikingly displayed to my view, when, upon the occasion of an alarm, and it was expected that the enemy would be upon us in full force, I had the mortification of beholding within my lines 1,500 or 1,600 men, with no weapons of defence, beyond their side-arms, clubs, and club-axes."

General Sanford's camp was, at this time, four miles in advance of Columbus, on the west side of the river, towards the enemy.

But, Mr. President, there was another and a conclusive reason why it was necessary to wait, at least, as late as the 17th of June, for muskets and rifles, with which to arm the whole of the Georgia line, before commencing active operations on the east side of the enemy ; for as late as the 17th I had cause to entertain serious doubts whether the Alabama troops would consent to enter the service of the United States—that is, to come under the rules and articles of war.

General Jesup arrived at Tuskegee, the headquarters of the Alabama line, on the 4th of June. On the 8th he wrote to me, in advance of the return to Columbus of his escort, a strange letter,(1) containing this sentence : "I have not yet obtained the command of the troops ; but *if I obtain it at all*, I shall probably enter on duty to-morrow ;" and not a word of explanation preceded or followed.

Surprised, in the extreme, at this intimation of a want of zeal and constitutional devotion on the part of the Alabama troops, I eagerly inquired, and caused others to inquire, among the intelligent officers of the escort, and several gentlemen who accompanied it as individuals, and the apprehensions excited by the letter were much increased. (See, on this point, Governor Schley's answer to my 18th interrogatory.) Nay, it appeared to me and many others who knew the circumstances, as *certain*, that the Alabamians had, from the 4th to the 8th of June, refused to come into the service of the United States, or at least under the command of General Jesup ; and that they would continue so to refuse, was even more than probable.

In this state of apprehension, I reported(2) the circumstances to the Adjutant General, June the 12th ; adverted to the subject in my report(3) to him of the 14th, and again in my report (by means of the paper(4) enclosed) of the 17th.

In reference to the doubts so reported, the Secretary of War, in his letter(5) of the 20th of June, instructed me, in the name of the President, that if, contrary to the confidence reposed "in the well-known patriotism of the Governor and citizens of Alabama," the militia of that State should "not have been mustered into the service of the United States, agreeably to the requisition of the Department," I was immediately to "stop all expenditures and supplies of every kind whatever, on the part of the United States, for such militia."

(1) Doc. 189.

(2) Doc. 194.

(3) Doc. 199.

(4) Doc. 204.

(5) Doc. No. 225.

The next letters(1) from General Jesup were received by me on the 17th of June, and dated the 15th and 17th. These I acknowledged in a letter(2) to him of the 17th, in which I said, "You had not informed me—you do not even now tell me—that you are in command of the Alabamians." It is true, that that fact might, on the 17th, have been inferred; but it was not explicitly stated before his report(3) to me, dated the 20th.

Hence, Mr. President, the justness and force of Governor Schley's answer to my 22d interrogatory, in which he says, "with the great uncertainty in regard to the course of the Alabama troops, and the situation of General Jesup, *I considered it all-important that the whole of the Georgia troops* should be prepared to take the field." And, sir, it has been shown that the *muskets* arrived on the night of the 20th were distributed on the 21st of June, and a general movement immediately commenced.

I have thus, incidentally, shown that I was without any letter from General Jesup, after that of the 8th, until the 17th of June, when his two letters, of the 15th and 17th, were received. Whence this long silence, Mr. President? In his *report*(4) of the 20th—the first paper sent by him to me, deserving of that name—he said:

"I was not aware, until yesterday, that a letter which I wrote to you on the 9th instant had not been sent to you. It was accidentally put up with a bundle of papers, and I found it only yesterday morning; and from no notice having been taken of my letter of the 12th, I fear it has not been received. It was sent by a runner. I enclose a copy(5) of it."

Sir, I am sorry to say that this account of the letter of the 9th is strange, if not altogether improbable; and, I think, for reasons which will appear in the sequel, that it is even doubtful whether the letter of the 12th was ever confided to an Indian runner. Perhaps, on further search, it has been found, like its predecessor, retained among his own papers. And, as the point is far otherwise than trivial, I will here quote, to strengthen my conjectures, what the same writer found himself compelled to say, in similar cases, to a higher functionary.

From Tuskegee, Alabama, August 2, 1836, General Jesup writes(6) to Governor Schley: "Knowing that I had written to you in reply to your communications, I was surprised when I received a copy of a letter you wrote to the President, in which you declare that I treated with '*silent contempt* the reasonable request of the Governor of Georgia.' I examined my letter-book, and found my letters to you recorded in their proper places," &c. "I felt indignant that a charge, so entirely unfounded, as I then thought, should have been made; but am now induced to believe that, by some oversight or omission, my letters, or at least one of them, had not been sent to you." He adds, that an officer, late of his staff, "left Fort Mitchell for Washington city on the 1st of July. In looking over a file of papers put up by him the morning he left, and not opened since, until last night, I found the enclosed letter. The endorsement is in hand, and I think it probable that it was put upon file, in place of being sent to you."

(1) Docs. Nos. 206 and 207.

(3) Doc. No. 216.

(5) Doc. No. 217.

(2) Doc. No. 208.

(4) Doc. No. 216.

(6) Letter annexed to the deposition of his excellency, Doc. No. 267.

August 28. The same(1) to the same. "I received your letter of the 15th instant, at the moment of setting out for," &c. "I was detained longer than I expected, and only returned this morning. Your letter of the 30th of June was not answered; but the omission was inadvertent, not intentional. I had forgotten that letter until I received yours of the 15th."

Now, sir, I will ask, what credit is to be attached to the declarations of one, upon a subject like the present, who has shown himself so forgetful, and of habits so irregular?

But, bad as was his memory, and disrespectful as were his practices, in matters of imperious duty, towards the chief magistrate of Georgia and myself, it is in evidence, sir, that, when the object was either to give effect to malignity, or to emblazon his own judgment and prowess, General Jesup never forgot, and always had the leisure, to address the President of the United States through Mr. Blair, or the less effective channel—the Secretary of War. See his two letters to "Francis P. Blair, Esq.," dated, respectively, June the 20th and September 3, 1836, and his three official communications,(2) addressed to the Secretary of War, dated, respectively, the 10th, 11th, and 25th of June, 1836.

These five extraordinary productions (for they may be respectively denominated—the first two mentioned *private-official*, and the last three *official-private*) call for a few specific remarks:

1. The whole are highly laudatory of the writer, Major General Jesup himself, to a degree which might have palled upon the palate of his correspondents, but for the equal and happy admixture of censure of me.

2. The two private-official letters have both been printed in *The Globe* newspaper(3)—the first with the President's endorsement, but without the initials and most sinister word (*Private*) on the face of the letter. Public rumor, without the least agency of mine, and which, indeed, was rife in Washington, Baltimore, and Norfolk, whilst I was yet far to the South, without suspicion or without knowledge of the matter, ultimately forced out this production, but not in all its deformity; for it was mutilated in *The Globe*, of that word which gave character to all the others.

3. The letter(4) of the 3d of September was expressly written in support of that(5) of the 20th of June, and accompanied by official documents, with notes; all professedly furnished by General Jesup for publication. As the best evidence, Mr. Blair was summoned as a witness to establish that fact. At first he informed the Judge Advocate that he would attend on a given day; but, afterwards, wrote to that officer that he would prefer that his testimony should be taken by deposition in Washington. I immediately drew up the interrogatories, which were duly transmitted by the Judge Advocate. Ample time had elapsed when I was last in Court; and no answers having been received, the printed communication and Mr. Blair's letter(6) to the Judge Advocate, were offered by me, and received in evidence. One important object I had in view remains, however, unaccomplished. *The Globe*, under the editorial head, speaking of my official reports made in the field, said, August 8, 1836: "Some were sent to us for publication, as we understood, at his

(1) Annexed to Governor Schley's deposition, Doc. No. 268.

(2) Documents Nos. 190, 191, and 240.

(3) Of July 29 and September 26, 1836.

(4) Doc. No. 266.

(5) Doc. No. 214.

(6) Documents Nos. 264 and 265.

[General Scott's] instance." Now, as I knew this was not so, I had uniformly denied the charge; which, moreover, if true, would have rendered me justly obnoxious to the censure of this Court, under the instructions given to it by the President of the United States. One of my interrogatories requested Mr. Blair to inquire into the grounds of that *understanding*, and to favor me with his answer. (The deposition of Mr. Blair has but just arrived, and I have but a moment to say so here. If time permitted, it would receive a more particular notice. It shows that he was mistaken in my having requested the publication of my official reports at Washington.)

4. The three letters to Mr. Secretary Cass were given in evidence by the Judge Advocate. They had never been published, nor had I heard of them until they were read in Court. Whether the writer was ever rebuked by that functionary, may be more than doubted. They were certainly not sent back, as at least they ought to have been, or they would not now have been here. I have denominated them *official-private*; for, sir, it is evident to me that, when severally written, they were, like the celebrated letter to Mr. Blair, of the 20th of June, intended by General Jesup only for particular eyes. Thanks to the Chief Magistrate, he made one official by his endorsement; and thanks to the justice and manliness of Mr. Secretary Butler, the other three were not retained in the secret pigeon-holes of the War office. And what is the character of these so long held *official-private* documents? This it is now my purpose to expose.

It has been seen that General Jesup says he wrote to me on the 9th of June, put the letter in a bundle, and forgot it. No wonder. His vanity was too much flattered with the honor of writing to Mr. Secretary Cass for the eye of the President, to think of me, who was charged, at the moment, with the general direction of the war. On the 10th he made a report to the Secretary, overlooking, as he did me, the Adjutant General and the General-in-chief. The next day he made another report to the same functionary. In the first, he says that he has "about 900 volunteers and militia," and "about 200 friendly Indian warriors;" "I shall move to-morrow or the next day, at the farthest, against the hostile Indians;" that he expected "to be joined by 500 mounted men," "and by 200 Indian warriors, and I hope to strike the enemy in five days." Not an allusion is made to me, or to the instructions I had given him in this report.

On the 11th, from the same place, (Tuskegee,) he makes the second report to Mr. Secretary Cass. He says that he has been delayed. "I shall move forward to-morrow, however, and occupy a position on the Fort Mitchell road, about twenty-eight miles in advance, and there wait the arrival of the Indian warriors under," &c.; "or, if I can find the enemy without Indian guides, attack him immediately."

Now, not a word is said in either of these reports of his having commenced operations "for the purpose of staying the tomahawk and scalping-knife, and of preventing the devastation of entire settlements or neighborhoods on the frontier;" nothing of his having "none of that courage that would enable [him] to remain inactive when women and children are daily falling beneath the blows of the savage." These were flourishes which occurred subsequently—not until I rebuked him for violating my orders; moving prematurely, and without notice to me, and for operating

on a line which inverted the plan of operations agreed upon between us. From his two reports to the Secretary, it is plain that none of those devastations and horrors were then going on. The frontier settlements of Alabama had been tranquillized and rendered secure before his arrival at Tuskegee, and every white inhabitant within the enemy's country, who was at all exposed, had been murdered, or had escaped at the commencement of hostilities. (See General Sanford's answer to my sixth interrogatory. It is conclusive on this point, for nobody better knew the Creek country.) No, sir; General Jesup commenced operations on the 12th, without the crying necessity afterwards invented; without "the altered circumstances of the country" from the date of my instructions, (1st of June,) which he alleges in his letter to me of the 17th. He says not a word of the kind in his two formal reports to the Secretary of the 10th and 11th; but, on the contrary, suppressing all allusion to my instructions, shows himself in haste to take the war into his own hands; and the Court will recollect how it happened—no thanks to his foresight and activity—that he found the Alabamians amply provided with arms and ammunition.

The Court has also seen, by the deposition of Governor Schley, under my 2d, 3d, 4th, 5th, and 6th interrogatories, and the answers of Major Kirby to my 3d, 4th, and 5th questions before this Court, that General Jesup not only fully concurred(1) in my plan of campaign against the Creeks, without suggesting a modification, but claimed to have had the same plan in view before he knew what had been my thoughts on the subject; and that I steadily adhered to that plan, in all its outlines and details, until it was inverted or broken in upon by the isolated and unexpected movement of that general. The plan and its details, so shamelessly denounced, with my Florida operations, in his first letter to Mr. Blair, will appear in the sequel.

In my instructions(2) to General Jesup, dated June 1st, founded on the views so fully and frequently developed in conversations with him, I directed that he should repair to the headquarters of the Governor of Alabama, understood to be either at Montgomery or Tuskegee, in order that the former, by an interview with the latter, might charge himself with the command of the Alabamians, and the direction of the war on that side of the enemy. His first step after the interview was to cause the volunteers, already called out in sufficient numbers, as we knew, to be mustered into the service of the United States, if the enemy allowed time for that essential measure.

"His excellency the Governor of Alabama [I said in continuation] has proposed, in a letter that you have seen, [to the commanding officer of the Georgia militia who might be at Columbus,] to commence vigorous operations against the enemy as early as the 5th instant. You have seen my reply to that letter, and are well acquainted with all the considerations which have induced me to propose a postponement to the 15th. In the mean time, however, and before the regulars and all the forces of Georgia shall arrive, I think something very advantageous may be safely attempted from a point at or below Irwinton, and operating *up* the country." (The Court has seen that I then had expectations of receiving at Columbus the arms, &c., ordered by the 12 or 14th. My letter

(1) Deposition of Colonel Kenan also.

(2) Document No. 176.

to General Jesup continues :) "I shall wish you, therefore, as soon as you are in command, to send as many of the Alabamians as can be safely spared from other great objects, [evidently the defence of the Alabama frontier settlements,] to co-operate with any surplus troops of Georgia that we may have for the field, after guarding the important points on this river [the Chattahoochie.] What that surplus may be, at the end of (say) eight or ten days, I cannot speak with confidence; but, from the expectations of his excellency Governor Schley, I think we shall by that time be able to send to that point from 1,000 to 1,300 men, including horse and foot. With this force, and a little addition to that which Governor Clay, as you have seen, proposes to send to Irwinton, and some four or five companies of regulars which may be here in time, I think we may clear the lower part of this river, (that is to say, the whole of Barbour county,) of the enemy, by the 17th instant, and before the arrival of the last of the regulars expected from the North. By that time all our forces on this side will be up, and ready to be thrown across this river for vigorous co-operation; and as we advance up the country, a portion of the volunteers guarding the river may be crossed over and united with the pursuing army." The regulars were, however, many of them, unavoidably behind this calculation, from four to seven days. The letter concludes: "You will take care to communicate to me, fully, from time to time, your means, your movements, and your plans; and you will hear from me frequently."

Yet the Court has seen that, after the receipt of the enigmatical and alarming letter of the 8th of June, I did not again hear from General Jesup till the 17th, when he reported himself to be within fourteen miles of Fort Mitchell!

Sir, he not only did not report to me himself, until long afterwards, any of the important facts which he so fully disclosed to the Secretary of War, as we have seen; but his presence, in all probability, prevented his excellency Governor Clay, then at Tuskegee, from acknowledging my two letters of the 31st of May, as I now certainly know it prevented any reply to a letter of the same date and tenor from Governor Schley. This fact is established by the answer of the latter to my 15th and 16th interrogatories, in which it is said that Governor Clay replied to another letter written by the deponent, many weeks subsequently, "that the management of the war had then devolved on Generals Scott and Jesup, which seemed to render any further correspondence between us [the two governors] upon that subject, unnecessary." Yet, a reply to either the letter of Governor Schley, or to the two from me, would, under the mysterious silence of General Jesup, have much diminished my embarrassment at the time.

In General Jesup's second report, dated the 11th of June, to the Secretary of War, he says: "I have no means of communicating directly with General Scott. This circumstance inclines me to strike a blow at once, though there is some hazard in it. General Scott, when I left him, expected to be ready to move by the 15th."

Why, sir, had he no direct means of communicating with me? His letter of the 8th came to Fort Mitchell by an Indian runner. He might have sent his communication of the 9th (if not mistaken as to having written it) by the return of his escort, or another Indian runner. My letters to him of the 10th, 16th, &c., were sent by single Indians, and he

had a large body of friendly Indian warriors with him. I early caused Captain Page, who was, at the time, charged with the Indian department, and the transmission, by Indian runners, of my letters to General Jesup, to be summoned here; but the Judge Advocate informs me that the captain is detained at the South by illness. General Jesup has, however, nowhere remarked the non-reception of one of my letters of this period.

My second letter to him was dated the 10th, alluded to in the third, (16th of June,) by mistake, as if dated the 12th. In this letter (of the 10th) I said:

"We shall be much delayed in taking the field, on this side, by the non-arrival of our most essential supplies—rifles, muskets, musket-accountrements, ammunition, &c. I had expected these, with subsistence stores, to begin to arrive here from the Ockmulgee, by the 7th instant; but here is a letter (1) from the agent, Mr. Beard, dated at Hawkinsville, the 5th, in which he reports that nothing had reached that place. He immediately despatched a boat to Darien to make inquiries, to hasten, &c. We have now on the Chattahoochie about 3,000 Georgians, most of them remarkably fine men. Of the whole number, however, not a third have sufficient arms, and a still smaller number good accountrements. It will, therefore, be impossible to arm and equip the remaining two-thirds without the muskets, the Hall's rifles, and musket accountrements, expected by the Ockmulgee. From the foregoing, it will be seen that it is impossible for the Georgians to commence operations from the neighborhood of Irwinton, say in eight or ten days; nor even then, unless the arms and accountrements should have arrived. I have not had a line from Governor Clay," &c. "We have more than doubled the force placed in the lower counties of Georgia, to prevent the Creeks from escaping to the Seminoles."

In my third letter (2) to General Jesup, dated June 16, after telling him (as in my second letter, in order that his own movements might not be precipitated) of the arms, &c., having been heard from, and that they might be expected in a few days, I say: "At present, of the 2,200 men Major General Sanford has in his camp, (on the other side of the river,) only about 400 are armed, [and these but indifferently.](3.) All the other armed men have been detached below, to guard the river, and which, as yet, from the want of men, [armed,] is but very imperfectly guarded." I then advert to the mysteries and omissions of his letter of the 8th. After animadverting on several, my letter proceeds:

"You further tell me that 'if a movement be determined on, I will send you information of it by a runner.' A movement to be determined on by whom?—the Alabama commanders, or those in conjunction with yourself? Either you were placed in command, or you have not been. In the first case, you would certainly determine on no scheme of offensive operations without my previous concurrence and readiness to co-operate; yet, without receiving any runner from you, or communication of any kind, since the 8th instant, a passenger in the stage by the upper route, (4) just arrived here, reports that you, at the head of about 3,000 Alabamians and 1,000 friendly Indians, were about to march upon Neomico's band, and to commence offensive operations on a grand scale! I have no doubt there is a gross mistake in this report. You may, perhaps, have

(1) Document No. 186.

(2) Doc. No. 204.

(3) See General Sanford's deposition.

(4) Why not a letter to me by *that*?

been about to make some defensive movement or operation, to clear a frontier settlement of a portion of the enemy; but I will not believe that you have declared your independence of my authority."

The Court will here be pleased to remark that I was, until very recently, ignorant of the fact that General Jesup, though silent towards me, had been quite communicative, against all regulations and decent usages of the army, to the Secretary of War.

My letter to him of the 16th continues: "It is certain that Brigadier General Moore, of Alabama, has commenced a course of offensive operations from Irwinton up the country. From this fact, [alone,] I have rather inferred that you have not even yet been invested with the command of the Alabamians, or you certainly would have stopped his premature and isolated movement.(1.) These doubts and conjectures, in the absence of all direct intelligence from you, are sufficiently harassing."

"I mean to be explicit and precise on my part. I desire you, instantly, to stop all offensive movements, (if you are in command,) on the part of the Alabamians, until the Georgians are ready to act, (say on the 21st instant,) when the greater number of them will be armed and ready for the field. By that time, too, there will be on the frontier, the greater part of the regulars and marines ordered from the North. On that day, if the movements of General Moore shall not render a modification of my plan necessary, I shall begin to assemble the troops on this side of the nation, somewhere in the neighborhood of Irwinton, and operate up the country. It is my desire that you meet me about that time and place, and that you bring with you any disposable force you conveniently can; or, that you hold the whole of the Alabamians in defensive positions on the frontier settlements till I shall bring the war into their neighborhood, when you can come into the general line of operations with me."

June 17. I addressed a fourth letter(2) to General Jesup, of which the following are extracts:

"Sir: I have this moment received your two letters of the 15th and 17th instant."

"I am infinitely astonished and distressed to hear of your near approach, and in a starving condition, to Fort Mitchell. You knew that your forces were not wanted there; you knew that no supplies could reach Irwinton from New Orleans earlier than the 21st instant, if so soon; and you knew, by my letter of the 10th, that nothing had arrived as high as Hawkinsville upon the Ockmulgee, and, consequently, nothing could have reached this place, by the present date, from that river. I ought, also, to add that you knew, when you left here, that the troops, daily increasing, were living from hand to mouth on the precarious supplies of the neighborhood. Under these circumstances, imagine my astonishment to learn that, instead of marching the disposable force of Alabama upon Irwinton, with subsistence for at least ten or five days in advance, to hear that you have come through the heart of the Indian country, seeking private adventures, which, if successful, could hardly have advanced the war, and against my known plan of operations, to Fort Mitchell, 45 miles out of position! It is precisely General Gaines's movement upon

(1) From General Jesup's letter to me, (Doc. No. 217,) dated June 12, and suppressed till the 20th, it would appear that General Moore's movement was part of General Jesup's combined operations.

(2) Doc. No. 208.

Fort King, where there was no subsistence ; and there is none, as you ought to have known, at Fort Mitchell! My grief and distress are at their utmost height. This strange movement you have made without giving me the slightest notice. You had not informed me—you do not even *now* tell me—that you are in command of the Alabamians ; and your last letter stated that it was doubtful whether you ever would be invested with that command. All this is infinitely strange, and was the last thing in the world that was to be expected from *you*."

The letter concluded with these words: "Though in grief, I still remain yours, with great regard."

General Jesup has given this letter, with notes of his own upon it, as part of his communication (1) to Mr. Blair, printed in *The Globe*, September 26, 1836. In one of those notes he says, to discredit my describing him to be approaching Fort Mitchell "in a starving condition," that at the time "he had subsistence for the troops under his command to the 22d of June."

Now, in his letter(2) of the 15th, written from the interior of the enemy's country, he had said to me: "I find it impossible to obtain either corn or subsistence here. The hostile Indians have destroyed all that they have not taken away." Same letter: "June 16. I am now at the Big spring, within fourteen miles of Fort Mitchell." "I have to request that provisions and corn be *sent* to Fort Mitchell. I have only five days' rations, *and not a grain of corn*." "I shall, probably, be compelled to fall back on Fort Mitchell, or to a position near to it. I hope to receive orders from you at that place, to which, if I do not go myself, I shall send wagons for subsistence." And in his note(3) to me of the 17th, received with the letter of the 15—16th, he says: "I find that we have *less* than two days' rations in addition to two days' rations in the hands of the men. Whether successful or not against Ne-o-ee-martla, I shall be compelled to go to Fort Mitchell. *Can you give us provisions and corn there? By all means, do so.*"

Here, then, Mr. President, is a great general, who takes the field against the orders and without the knowledge of his commander ; puts himself on a wrong line of operations, without plan or object, without the assured means of subsistence ; and when out but from three to five days, breaks silence only to call for help, and in piteous accents declares that, whether successful or not, he will be obliged to fall back! We may now see why these letters were not given to *The Globe* ; they would have supported every assertion of mine, so indecently contradicted in the printed notes. Take this, as a second example: General Jesup says that, when he arrived at Fort Mitchell, "he found, in the neighborhood, several thousand bushels of corn, which he had directed Captain Page to secure early in June." If so, why the urgent entreaty that I would *send* provisions and *corn* there? I again regret the absence, by sickness, of Captain Page. My accuser adds, in the same place: "If General Scott was not acquainted with the resources at his command, it was not the fault of General Jesup." This sneer is happy enough ; but, unluckily for its author, I myself gave him, in my letter(4) of the 19th of June, the first information he had probably ever received of that *corn*!

In the same printed notes, General Jesup says, when he "arrived at Fort Mitchell, on the night of the 18th June, he found a steamboat with

70,000 rations, which *he* had ordered from New Orleans before he had left Washington city." How exclusive in his foresight! Again, "he expected the arrival of steamboats, with supplies, at Columbus, by the 15th of June."

The Court will here please to refer to my letter,(1) written at Augusta, May 26, and repeated,(2) from Milledgeville, the 28th, addressed jointly to the quartermaster and commissary at New Orleans; and then turn to the testimony of Major Kirby. From the letter, it will be seen that, upon a calculation made by General Jesup and myself, we both thought that his letter from Washington, and mine from Augusta, on the same subject, would, very probably, reach New Orleans together. And, according to Major Kirby's letter(3) to General Irwin, dated June 2d, it was thought the first supplies could not arrive from that city before the 18th or 19th. General Jesup, therefore, could *not* have expected those "supplies at Columbus by the 15th of June;" and he knows, in fact, as I several times told him in my letters, that we both thought it would be fortunate if they arrived by the 21st or 22d. By great good luck, however, the first steamboat did actually arrive at Fort Mitchell on the 18th or 19th of June, whereby the whole army was saved from the misfortune which General Jesup's false movement would otherwise have occasioned, viz: of being reduced to half or third rations for many days. (See, on this point, the testimony of Major Kirby, Lieutenant Waite, and Lieutenant Betts; also, the deposition of Major Huson.)

In all this time, Mr. President, from the 9th of June, when he entered on duty at Tuskegee, to the 17th, it had never once occurred to General Jesup that his march *from* the frontier settlements of Alabama, upon Fort Mitchell, at the opposite side of the Creek country, had been intended to protect the women and children, whom he had left far behind, against the uplifted tomahawk and scalping-knife; or that he had none of that courage that would enable him to look on such scenes. No, sir; "devastations of entire settlements," as well as women and children, the tomahawk and scalping-knife, are entirely omitted in all his letters; the two to the Secretary of War, dated the 10th and 11th of June; the one to me of the 8th; the *copy* of that dated the 12th,(4) but handed to me by his aid-de-camp on the 21st; and his two other letters to me, dated the 15—16th, and the morning of the 17th. But, after he had, to anticipate me, taken the war *out* of my hands, and found himself "compelled to fall back on Fort Mitchell" for corn and subsistence; when, in short, he had, late on the 17th, received my letter of the day before, quoted, in great part, above; then, and *not* till then, did those moving topics occur to him, in the use of which he has been as happy as in the invention. See his *second* letter(5) to me, dated the 17th of June, in which those weapons are powerfully wielded both for defence and offence, and which letter closes his communication in *The Globe* of the 26th of September. But, powerful as that letter may seem, he did not dare to include my reply(6) to it, dated the 19th, and which, in all fairness, ought to have been published at the same time. This the Court will perceive from the following extract:

"On my return to Columbus, late last evening, I received your *second* (5) of the 17th instant. This is fully as strange as any of your previous communications. In it you repeat nothing of your previous intention of

(1) Doc. No. 166.

(3) Doc. No. 181.

(5) Doc. No. 210.

(2) Doc. No. 170.

(4) Doc. No. 217.

(6) Doc. No. 212.

marching upon Fort Mitchell ; but you take care to insert two or three topics which would furnish a good basis for a popular appeal against the hardship imposed upon you of undertaking no system of offensive operations without my previous concurrence and readiness to act in concert with you. It would seem to be for this purpose—I can imagine no other—that you tell me that your operations have been ‘commenced and have been continued for the purpose of staying the tomahawk and the scalping-knife, and preventing the devastation of entire settlements or neighborhoods on the frontier.’ Nothing, certainly, could have been more meritorious. The *direct* protection of the Alabama settlements was within your competency, and, indeed, among your paramount duties. But why commence a grand system of offensive operations which has brought you out on this side of the Creek nation, at a point where I did not want you, without giving me the slightest intimation that you were about to commence, and, of course, without waiting for my approbation and co-operation ? To have waited for such co-operation, and to have given me notice of your intended movements, were, allow me to say, *also* among your paramount duties.

“Your next popular flourish is in these words : ‘I have none of that courage that would enable me to remain inactive when women and children are daily falling beneath the blows of the savage.’ I certainly believe that you have not, and there was not the slightest objection, in any quarter, to your protecting the women and children of the frontier, with the defence of which you were directly charged. Again, nothing could have been more praiseworthy ; but how does this excuse your leaving those women and children, and, instead of marching upon Irwinton, where you were required, marching in hostile array, seeking battles, upon Fort Mitchell, where you were neither expected nor wanted ?

“On the subject of the Alabama frontier settlements, I am happy to learn by your letter that you made such arrangements for their safety as to leave you assured on that point.

“The last dead point you make, as if it were for future use against me, is this : ‘I would have struck the enemy to-night, but for your letter ; (1) if he is not struck to-morrow morning, he will escape for the present ; but the force I have in the field is sufficient to pursue and to reduce him.’ Here I am made to deprive you and the country of a great imaginary victory. I say imaginary ; for I am inclined to think that you are, on this occasion, a little too sanguine in your calculations. But the true answer is this : Who gave you authority to roam at pleasure through the Creek nation, at the head of the Alabamians and a body of friendly Indians, without giving notice to, and without concert with, the Georgians and regulars, brought to this frontier for the same war, and at an enormous expense to the Government ? Besides, from the position [now] occupied by you, you are forced to operate *down* the country, instead of getting below the enemy and operating *up*. This precisely inverts what you knew to be my plan of campaign—a plan fully developed in conversation with you, and to which you did not in the least object, although you were invited to discuss it freely ?”

Here, sir, it will be seen that I distinctly predicted that Gen. Jesup’s second letter of the 17th, assuming new and unfounded reasons for his false and unauthorized movements, was intended much more for the public than his immediate commander. Hence those topics of appeal, and

(1) June 16, quoted above, doc. No. 204.

hence its appearance in his communication to *The Globe*, without my reply!

The Court has also seen in that reply that I discredited the idle vaunt that he would have struck the enemy a fatal blow on the 17th or 18th, but for my letter of the 16th. Now, sir, it is distinctly in evidence, notwithstanding that gasconade, that he not only disobeyed my orders, but, in the attempt to strike the blow, egregiously failed! See his third *official-private* letter, (1) addressed to Mr. Secretary Cass, dated June 25th, and which so unexpectedly has been brought within my knowledge. It was on this, and the circumstances connected with the point, that I principally wanted the testimony of General Woodward. (2) My 14th interrogatory to Governor Schley relates to the same matters.

I have given above extracts of my letter to General Jesup of the 19th of June. The following is a continuation of the same communication:

"Whilst writing the above, I received your letter (3) of this date, written at Fort Mitchell. You charge me with harshness. I have, certainly, in previous letters, complained heavily of you, as in the beginning of this; and have, in every instance, I think, given the grounds of those complaints. The facts stated by me, I think, bear the construction that I have placed upon them, and I have infinitely regretted the existence of those facts.

"You are mistaken in supposing that I upbraid you for asking for small supplies of rations and forage for your troops. I *regretted* the scarcity of our resources in such supplies, and apprehended a scarcity bordering on starvation for a few days. Fortunately, 80,000 rations have arrived at Fort Mitchell, (and about 20,000 here,) which yesterday were not expected earlier than the 22d—perhaps the 23d instant; and I am confident that, when here, we both, by calculation, did not expect any thing from New Orleans before the 21st or 22d. I am rejoiced, as much on your account as my own, that we both have an abundant supply of rations for the present, and we know that 150,000 more will soon follow. * * *

"General, (in haste,) I have not intended to say any thing to *injure* you. I have shown, in strong terms, the construction I had a right to place upon your acts and letters. This, I know, may appear harsh. But, on the other hand, allow me to say that I have the greatest and an undiminished confidence in your honor, your intelligence, gallantry, and capacity for war. You use the word *friendship*—I have cherished for you for more than twenty-two years a warm and a sincere affection, which I would not part with on any consideration. It has been a little shaken since I saw you, but one expression of your letter goes far to recall it. I think you have not been attentive to my plans and instructions. In this, I certainly think that you have erred, and, also, in your failure to report fully to me. Throwing, for a moment, seniority aside, I ask it of your ancient connexion with me, to be more careful in those particulars in future. It will give me sincere delight to put down this war with you, and to give you all the fame which I know you are so capable of winning."

The letters between General Jesup and myself were duly, from time to time, enclosed by me to the Adjutant General for the information of Government. In writing (4) to the latter, on the 21st of June, I enclosed General Jesup's letter to me of the 19th, and the above reply of the same date, and said to the Adjutant General:

(1) Doc. No. 240.

(2) See his letter to the Judge Advocate, Doc. No. 266.

(3) Doc. No. 211.

(4) Doc. No. 209.

"With respect to this distinguished officer, (General Jesup,) I have every motive in the world, public and private, to act in perfect harmony. All my ancient affection for him is fast returning. I hope it will be entirely restored in a day or two—that is, as soon as I shall learn that he conforms himself to my plans and instructions."

Having subsequently received General Jesup's report,(1) dated the 20th, giving his operations and motives from the 12th to that date, with several other official letters (in evidence;) having, as I passed down the country, on the evening of the 23d, met and conversed with him on the subject; confiding in the facts and motives alleged by him on the several occasions; and being absolutely ignorant then, and long afterwards, of his letters to Mr. Secretary Cass, and, above all, the dastardly attack through Mr. Editor Blair,(2) in the since notorious letter of the 20th; the Court may imagine how, with my reviving feelings of kindness, I was led to write the voluntary apology(3) for General Jesup's conduct, dated the 23d of June, and addressed to the Adjutant General. In this letter I requested that such of my reports as had animadverted on General Jesup might be returned to me, on the ground that, *as we were again friends, no trace might remain on record to show that we had ever been otherwise*. He had met, and rode some miles with me that evening. As he entered my room, I finished my letter, handed it to him to read before I had read it myself, and it was instantly recorded by an aid-de-camp in my letter-book. I did *not* tell him "on the morning of the 24th," as he writes to Mr. Blair, September 3d, that I "would ask to withdraw" the letters, &c. The request, and my reasons for it, he had seen the night before. With the letter in his hands, he intimated an objection to the word *explanations* offered by him; but on an admonition, on my part, full of firmness and kindness, he read the letter through, and expressed himself gratified with it. Why, sir, did he not tell me of, or instantly take measures to counteract, his assassin-like letter, then so recently written to Mr. Blair, and which, beyond all doubt, he despatched after the receipt of mine of the 19th?

A miserable apology is attempted by General Jesup for addressing the President of the United States on official matters through the secret channel of Mr. Blair, in the printed sheet,(4) or pamphlet, (before noticed,) signed by General Jesup's aid-de-camp. In this joint production, it is said: "The official channel of communication was through General Scott: To make the application through him, would have been indelicate," &c. But where was the convenient channel through Mr. Secretary Cass, which General Jesup had twice adopted, (on the 10th and 11th of June,) before the letter of the 20th to Mr. Blair, and once afterwards, the 25th of June, on *other* military subjects?(5) Have those acts of direct insubordination towards me been ever rebuked? It is to be presumed *not*, sir; or those letters would not have been found, in the same Department, in the time of Mr. Secretary Butler.

The truth is, Mr. President, General Jesup left Washington on the 22d of May,(6) the day after the receipt of my letter respecting Major Read; and, aware of the displeasure which that letter had brought upon me, he believed himself at liberty to defy my authority, with but little observ-

(1) Doc. No. 216. (2) Doc. No. 214. (3) Doc. No. 221. (4) Doc. No. 263.

(5) See *another* official letter from him to the Adjutant General, June 28, Doc. No. 242, whilst I was in command.

(6) General Jesup to Mr. Cass, June 23, Doc. No. 240.

ance, as often as his vanity might dictate. Hence his repeated boasts (in his letters) that he had been sent into the field by the President himself, although, in the instructions to him, he was expressly told⁽¹⁾ that, if he found me there, he was to serve under me, and to obey my orders; as the Rules and Articles of War would have told him, independent of those instructions; and hence, from the same cause or causes, all those letters, *official-private* and *private-official*, with the pamphlet and communication in *The Globe*, which I have brought under the review of this Court. The blood of all the Seminoles may be made to crimson the waters of Florida; but neither one nor both can wash away that stain which his conduct to an ancient friend has brought upon him. Sir, a moment more, and I shall have done with his name forever.

Much having been objected to my plan of operations against the Creeks, as against that in Florida, and there being really some danger that my plan of campaign may, from the sneers of some of my contemporaries, be, in future, considered as unworthy of the native genius of American commanders—I beg leave, Mr. President, to fortify my last humble conception of this sort by the opinions of three highly distinguished gentlemen who have favored me with their depositions. The following interrogatories, but slightly and accidentally varied, were propounded by me to each of those deponents:

1. "What, in the opinion of the witness, were the relative advantages or disadvantages between a plan of operations beginning on a line at, or a little above Irwinton, and below the hostile Creeks, and acting up the country, and beginning (say) on a line from Tuskegee to Fort Mitchell, above the greater number of the enemy, and thence operating down the country?"

2. "If the whole disposable force of Georgians, Alabamians, and regulars, with the friendly Indians acting as auxiliaries, had been placed in a line below the enemy, and had operated up the country, whilst the frontier settlements of Georgia and Alabama were guarded by competent detachments, is it not probable that fewer of the enemy would have escaped across the Chattahoochie, in the direction of Florida, than actually did so escape; and, also, that the war would have been earlier finished than it actually was?"

3. "Is it not probable or certain that the movement of General Jesup, and the forces under his immediate orders, from Tuskegee upon Fort Mitchell, and from that line below, before all the other forces upon the Chattahoochie were ready to take their positions on that river, and the base-line below the enemy, put the enemy upon the endeavor to escape in the direction of Florida, and led to the many severe conflicts which took place on the soil of Georgia?"

4. "Which of the two plans of operations—that of operating with the whole disposable force, under the general command of the said Scott, *upwards*, from a line below the enemy, and beginning (say) about the 25th of June; and the plan pursued by the said Jesup, viz: beginning an isolated movement (say) about the 12th of the same month, from Tuskegee towards Fort Mitchell, and thence operating *down the country*—would, in the opinion of the witness, have the sooner terminated the war, by the capture of the great body of the enemy?"

(1) Letter to him from Mr. Cass, May 19, Doc. No. 159.

These questions are here differently numbered from the numbers they bore in the several papers drawn up by me to be submitted to the witnesses.

I regret, Mr. President, that I have not the time, or strength, to embody the answers to the several interrogatories given by his excellency Governor Schley—a near, an anxious, and close observer of all that passed; of Major General Sanford, who commanded the Georgia line from an early period to the end of the war; and of the honorable Mr. Dawson, a colonel at home, but a captain in the campaign. Each is clear and emphatic in favor of the plan of operating *upwards*, in preference to the reverse plan; in favor of a delay to about the 25th of June, with a view to a united movement upwards, with all the disposable forces; and of the opinion that the war would sooner have been terminated by that delay, in the beginning, and with better results. I know not an intelligent officer, who was with me in the campaign, who would not have given like opinions if called upon for that purpose.

To this, or a similar question propounded, viz :

“Is the witness aware that the said Scott, in any particular, when not ill in bed, failed in point of zeal, activity, or judgment, in the direction of the war against the hostile Creek Indians, before mentioned?”

The answers of Governor Schley, Major General Sanford, Colonels Dawson and Kenan, and Major Kirby, to this question, are all again too complimentary to be reproduced in this place; and no other officer with me in the Creek campaign was interrogated on the subject.

Mr. President, and gentlemen of the Court: I am exhausted; but should do equal wrong to justice and to my own feelings not to return to each and every one of you my hearty thanks for the patience and impartiality you have all shown, including the Judge Advocate, in this long investigation.

Every material fact which has been given in evidence, that could by mere possibility affect your judgments to my prejudice, (and I recollect but few of that character,) will be found carefully embodied, or specifically referred to, in this summary. Much I know to be wholly omitted on the other side. These declarations, I am confident, no examination will be able to controvert. And here, I may add, that there is not an important circumstance in all my recent conduct in the field, which was not duly reported at the earliest moment, and with my own hand, for the information of Government. With, then, this overwhelming mass of evidence in my favor, permit me again to ask, By what strange fatality do I find myself here? It is for this Court, with the approbation of the President of the United States, to bid me *depart with honor*; and that that decision may be without the farther alloy of suspense, in which I have now but too long been held, under circumstances which, perhaps, could not have been controlled, I will ask that *it be speedily rendered*.

WINFIELD SCOTT.

FREDERICKTOWN, MD., *January* 19, 1836.

DOCUMENTS IN THE CASE OF GENERAL SCOTT.

A.

HEADQUARTERS, WESTERN DEPARTMENT,

Mobile, Alabama, October 30, 1836.

SIR: In acknowledging the honor of your letter of the 13th of the present month, which I received on the 28th, I have to desire the favor of you to lay before the Court of Inquiry of which Major General Macomb is appointed President, my objections and views of yesterday's date, herewith enclosed.

I am unprepared at this moment to send to you a complete list of witnesses; nor do I think it necessary, even if it were practicable, until I learn the result of my application to change the organization and location of the Court.

I am, however, desirous that my staff officers on the campaign in Florida should attend the Court of Inquiry forthwith. Captain E. A. Hitchcock, acting inspector general, now at New York, with Captain G. A. McCall, A. D. C., acting as adjutant general, now at Philadelphia: be pleased to summon them to attend. I shall desire General P. F. Smith to aid the above-named officers of my staff in acting for me, until I have it in my power to attend the Court of Inquiry, which I trust will be authorized to adjourn to this place; from whence the Court, the witnesses, and all, may occasionally pay a hasty visit to the Floridas, or to the Western frontier, as occasion may offer.

I am, very respectfully, your obedient servant,

EDMUND P. GAINES.

Captain SAMUEL COOPER,

*Judge Advocate and Recorder, &c.**Frederick, Maryland.*

HEADQUARTERS, WESTERN DEPARTMENT,

Mobile, October 29, 1836.

To the COURT OF INQUIRY of which Major General Macomb is President :

I received yesterday your Judge Advocate's letter of the 13th of this month, notifying me that the first Monday in November, 1836, is fixed for the meeting of the Court of Inquiry appointed in General Order No. 65, of the 3d instant, and requesting of me a list of such witnesses as I may wish examined by the Court.

In reply, I think it my duty to state to the Court, for the information of all concerned, the objections and views which follow :

1. I protest against Major General Macomb being the President, or a member of the Court of Inquiry, or of any tribunal for the investigation of any matter of accusation or rumor against me, or in which I am any-wise concerned, either directly or indirectly ; or in reference to any duty or employment in which I have been or may be engaged during the present year, or at any time since the year 1830 ; because I have had good reason to believe that the said Major General Macomb has been, at all times, since that period, including the present year, up to the 13th of the present month, inclusively, ready and willing to wrong me ; and I am therefore convinced that he would not, as President of the Court of Inquiry, be impartial, or do me justice. I expect soon to be able to obtain satisfactory evidence, in addition to that which here follows, in support of my objections ; and, moreover, to show that Major General A. Macomb is, in fact, a party, and ought to be considered a party interested in, and to some considerable extent accountable for, any failures which may have occurred in the campaigns of the present year against the Seminole Indians.

2. By the Order No. 65, I have learned that the Court of Inquiry would assemble "at the city of Frederick, in Maryland, as soon as the state of military operations against the Indians will permit the witnesses to attend, (of which the President of the Court is to judge and determine.") It seems, then, by your Judge Advocate's letter above noticed, that ten days after the date of the General Order containing the directions of the President of the United States, and two days after that order was enclosed to me in the letter of the acting Secretary of War, dated the 11th of October, 1836, (which I shall presently notice more particularly,) and without any known change in our Indian relations by which witnesses could be obtained from the frontiers, the Major General has seen fit to fix a day for the assembling of the Court on which he must have known it would be impossible for me (without steam power applied to vehicles of transportation on railroads yet to be constructed) to attend the Court. I advert to this strange arrangement not by any means to manifest on my part any unwillingness to attend the Court, (which nothing short of a deep domestic affliction that during two weeks of the present month I have had great reason to apprehend shall prevent, after making arrangements to obtain the requisite testimony,) but to show the Court the apparent design of the Major General to disregard the orders of the President of the United States constituting the Court, and to violate the President's more recent instructions, bearing date the 11th of this month, and of which the following is an extract :

"WAR DEPARTMENT,

October 11, 1836.

"I herewith enclose you a copy of Order No. 65, providing for a Court of Inquiry, to be convened at a proper time, for the purpose of making certain investigations, in one of which you will be a party interested. And I have the honor to inform you that the President, *desirous to afford you an opportunity to prepare yourself for the occasion, by collecting such evidence and getting ready such documents as you may deem necessary,*

has instructed me to inform you that General Arbuckle has been ordered to relieve you from your command on the Southwestern frontier.

"C. A. HARRIS,

"Acting Secretary of War."

"Major General E. P. GAINES,

"Camp Sabine."

(The 4th, 5th, and 6th lines underscored by me.)

These orders and instructions appear to have been violated by the President of the Court of Inquiry, inasmuch as he has taken means to preclude the possibility of my attending the Court in its first meetings, and thus depriving me of the right of a personal scrutiny of the incipient Proceedings of the Court, and subjecting me to the imputation of having neglected to attend.

These objections will appear more obvious and conclusive to the Court, and to the Department of War, when it is recollected, and seen by the present state of the Post Office Department upon this route, that the distance on the nearest mail route from this place to the city of Frederick, Maryland, is nearly one thousand and fifty miles; that the General Order (No. 65) of the 3d instant did not reach me until the 22d instant, and that the above-mentioned letter from the acting Secretary of War was accompanied by the letter from your Judge Advocate, dated the 13th of October, (but two days after the acting Secretary's,) did not reach me until yesterday, the 28th: hence, it will be seen that the Major General must have known that it was not possible for me to attend the Court at its first meeting, when I should have been gratified to have made these objections in person, and to have taken other measures, and made other objections, at which I have only time now to glance.

3. I deem it to be my duty to protest, and I do hereby protest, against the Court of Inquiry suffering any documentary or other evidence relating to me, or to any act of mine, or any matter of accusation or rumor against me, to be acted on or received by the Court of Inquiry, before I shall have it in my power to attend the Court, and scrutinize such documentary or other evidence, and to cross-examine the witness or witnesses that may be employed or called against me, to bolster up the reputation of others at the expense of mine.

4. In my letter to the Adjutant General of the army, dated the 4th of July last, I requested that officer to favor me with all the official statements in his office, referring to my conduct in relation to the war in Florida. I have not yet received the papers applied for. I shall insist on receiving copies of all reports, letters, and other statements referring to or calling in question the propriety of my conduct in Florida. I cannot complete my list of witnesses until I learn the names of my calumniators; with the matters of accusation, or rumor, with which the public offices at Washington may have been made the repository, and upon which the determination to call me before a Court of Inquiry was based.

5. In objecting to Major General A. Macomb, and pointing out the irregularity of his measures in preventing me from attending the Court in its first sessions—an irregularity which, of itself, renders his continuance on the Court repugnant to every principle of natural equity, law, and justice—I take much pleasure in stating that, with the exception of officers who have recently served in Florida, and are therefore supposed

to feel some solicitude in the matters of inquiry one way or another, or those who have expressed or formed opinions inimical to me, tending to condemn me without a hearing, I know but very few others of the general, field, or company officers *of the line of the army** to whom I would make any objections as members of the Court of Inquiry. I deem the present two junior members of the Court to be unexceptionable, viz: Generals Atkinson and Brady.

6. In deciding upon the foregoing objections to the President of the Court, the War Department is desired to weigh each objection with a particular view to the latter sentence of the 92d article of war, in the words which follow: "But, as Courts of Inquiry may be perverted to dishonorable purposes, and may be considered as engines of destruction to military merit in the hands of weak and envious commandants, they are hereby prohibited, unless directed by the President of the United States, or demanded by the accused." I have not been *accused*, except anonymously, indirectly, or by irresponsible persons, manifestly laboring to conceal their own misconduct by endeavoring to criminate me, and that without a shadow of proof. I have, therefore, seen no proper occasion for demanding the inquiry.

7. Since writing the foregoing six objections, a report has reached me that the forces (principally friendly Creek Indians) under Captain Lane, near Tampa bay, have been defeated; and that the captain, or colonel as he has been called, has fallen. Should this report prove to be true, I am sure the Department of War, and the Court, will concur with me in the opinion, that the safety of the long-neglected frontier of Florida, the best interest of the service, and the honor of the army, demand that the officers composing the Court, the accused, and the witnesses, should repair to that frontier, or to this place, from whence all may, when needful, fly to the theatre of war in three or four days; and, in place of partaking of the comforts of the city of Frederick, unite in bringing the war once more to a close. I have never, nor can I willingly or voluntarily, turn my back upon scenes of war, such as those in Florida, to pass my time in comparative indolence in the interior.

All which is submitted with due respect.

EDMUND P. GAINES,
Major General U. S. army.

B.

FREDERICK, (MD.,) January 7, 1837.

To the COURT OF INQUIRY of which Major General Macomb is President:

Pursuant to the orders of the War Department, the undersigned had the honor to present himself, yesterday, before the Court of Inquiry now in session in the city of Frederick, as a party interested in its proceedings, and claimed of right, under the provisions of the 91st article of war, the privilege of cross-examining the witnesses called before the Court to give

* I have objections to some few of the officers of the general staff, which I need not now mention.

E. P. G.

testimony in relation to the causes of the failure of the campaigns in Florida, in 1836, under Major Generals Gaines and Scott. The Court decided to exclude him from all participation in its proceedings for some indefinite time, advising him that, at some future period, when matters touching himself should be presented to the Court, to call him to its presence, and accord to him the privilege claimed.

The undersigned objects to the foregoing decision, in so far as it discovers a design to prosecute the Proceedings in relation to the causes of the failure of the campaigns in Florida to a close in the case of Major General Scott, as a separate and distinct case; inasmuch as such a proceeding would be a violation of the Order constituting the Court, and would manifestly deprive the undersigned of the privilege guaranteed to him by the 91st article of war; matters touching himself having already been spread upon the record of the Court, which, unless subjected to his scrutiny, must necessarily expose him to *ex-parte* decisions and comments unfavorable to him. He, therefore, solemnly protests against any person whomsoever being allowed to sum up the partial and incomplete body of evidence now on the record, or yet to be received, or to present any paper in the character of a defence, commenting upon such evidence, before the undersigned shall have accorded to him the rights and privileges secured to him by the aforementioned 91st article of war, and which are essential to the maintenance of his reputation and honor.

EDMUND P. GAINES,
Major General U. S. Army.

No. 1.

HEADQUARTERS, EASTERN DEPARTMENT,
Washington, July 20, 1836.

SIR: I have just seen the private letter of Major General Jesup, dated Fort Mitchell, Alabama, June 20, 1836, addressed to "F. P. Blair, Washington city," in which he complains of my official conduct, and on which the President has endorsed—"Referred to the Secretary of War, that he forthwith order General Scott to this place, in order that an inquiry be had into the unaccountable delay in prosecuting the Creek war, and the failure of the campaigns in Florida. Let General Jesup assume the command."

In compliance with the foregoing direction of the President, I was ordered hither by a letter to me from Major General Macomb, and have now the honor to report myself accordingly.

I am ready to meet any investigation into my official conduct that may be ordered; and if charges and specifications, with a view to a general Court Martial, be not preferred against me, I have to request that a Court of Inquiry may be granted me at the earliest practicable day.

I remain, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 2.

HEADQUARTERS, EASTERN DEPARTMENT,

New York, August 2, 1836.

SIR: In making my report, in person, at Washington, (on the 20th ultimo,) in obedience to the instruction that recalled me from the command of the *army of the South*, I requested to be favored with any and all matters of charge or complaint against me, either as the commander of the forces against the Creek or Seminole Indians, in the preceding six or seven months.

With the ready permission of the acting Secretary of War, I was furnished with a copy of the only paper (as was understood) on file against me—a letter from Major General Jesup, my second in the Creek war, dated at Fort Mitchell, June 20, 1836, and addressed to F. P. Blair, Esq., of Washington city.

The original was conspicuously marked "*private*;" but contained the insidious direction—"Let the President *see* this letter." On seeing it, however, the President, it seems, chose to render that which was evidently intended to work my ruin in secrecy, *official* and *public*, by endorsing the paper—"Referred to the Secretary of War, that he forthwith order General Scott to this place, in order that an inquiry be had into the unaccountable delay in prosecuting the Creek war, and the failure of the campaign in Florida. Let General Jesup assume the command."

Thus, on an *intended* confidential communication, I have already been once harshly punished, by a recall from a high command, before it was known at Washington that the war which I had the conduct of was virtually over, (which, fortunately for me, happened to be the case,) and my accuser promoted to my place. But, further, as that accuser equally stigmatized my conduct in the Seminole campaign as in that against the Creeks, the President directs that both shall be investigated.

That direction I did not sufficiently attend to on the 20th ultimo, or the written demand then made for a Court of Inquiry would have been deemed superfluous. In this opinion I am now confirmed; for, beside the President's full power to order an investigation, without demand, either by a Court of Inquiry or a general Court Martial, I observe, in the official newspaper (the *Globe*) of the 29th ultimo, published by General Jesup's correspondent, an editorial article, in which it is said, speaking on this very subject—"He [the President] deemed it proper to hold General Scott to accountability, and make General Jesup *the accuser*."

Learning thus, from the official paper, that I may expect charges and specifications to be preferred against me in form, and for the other reason suggested above, I now ask leave to withdraw my demand for a Court of Inquiry, and to wait the further pleasure of the Executive in the case; trusting, nevertheless, than an investigation will be speedily ordered, and in the most vigorous form. I doubt not that the result will be wholly honorable to me, as well in the opinion of the public as in that of the President himself.

I remain, sir, with high respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES, *Adjutant General U. S. A.*

P. S.—I shall take the liberty to send a copy of this letter direct to the Secretary of War, at Detroit, to save time.

W. S.

No. 3.

HEADQUARTERS, EASTERN DEPARTMENT,
New York, October 18, 1836.

SIR : I have to acknowledge the Order appointing the Court of Inquiry of which Major General Macomb is named as President ; and a supplemental Order, extending the field of its investigations.

I shall seize with gladness any opportunity to repel the unjust imputations under which I have so long labored in respect to my operations against the Seminole and Creek Indians ; but, from an article in the official newspaper (the Globe) of the 29th of July last, I had been led to hope that a general Court Martial would have been ordered for my trial on those imputations ; for the Globe, in a tone of authority, said—*the President had decided to make General Jesup my accuser*. This annunciation necessarily pointed to such tribunal, as, before Courts of Inquiry, a formal accuser or prosecutor is unknown.

I should certainly greatly prefer to confront General Jesup, in face of a Court Martial, to being obliged to encounter in the dark, and at second hand, before a Court of Inquiry, his false accusations and misstatements, taken from newspapers, pamphlets, and I know not how many “private” letters, written to a third person, advantageously situated to render them most effective against me, both with the President and the public. One of these artful missiles, after harshly tearing me from a high and honorable command, which I had every prospect of speedily terminating to the satisfaction of the Government and the country, conferred that very command upon my insubordinate junior and accuser. Thanks to the Executive, this letter (of which I had not the slightest suspicion until my arrival at Norfolk) has been forced into light. How many more, of the same character, may insidiously lurk behind, to envenom the inquiry against me, I may never learn.

Not knowing what farther time might be suffered to elapse in bringing on a judicial investigation of the whole matter in question, and suffering greatly in public opinion under General Jesup’s *ex parte* and garbled publications, I was just about to defend myself in the form of an official letter, the publication of which I should have requested, when I received formal notice that the Court of Inquiry would meet on the 7th of the next month. I shall now forbear going into a detailed exposure and refutation of the injuries complained of, but will still ask, as an intimation of what had been my purpose, and the abundance of my means, that this letter be published.

Of General Gaines’s similar acts of outrage against me, I have heard much, but have seen scarcely any thing. I shall therefore confine myself, in this place, to the enumeration of General Jesup’s three principal publications which have come to my knowledge :

1. His letter to Mr. Blair of the 20th of June last, and which was printed at length in the Globe of the 29th of the next month. This publication, although the letter was originally intended solely for the eye of the President and Mr. Blair, General Jesup evidently sanctions, as may be seen in his letter of the 3d ultimo to the same editor, and also published in the Globe of the 26th ultimo.

2. The pamphlet or printed sheet, signed and circulated by Captain

Lane, of General Jesup's staff, and which is evidently the joint production of the aid-de-camp and his chief.

3. The publication, by General Jesup, in the *Globe* of the 26th ultimo, of a part only of my official correspondence with him, on the matters which are to be investigated by the Court of Inquiry, with false glosses, in the form of notes, furnished the editor by General Jesup himself.

Again solemnly protesting that I have not, up to this moment, written or suggested, or caused to be written, a line or word on the subject of the Seminole and Creek campaigns, for any newspaper whatever, I think myself entitled to ask respectfully that this letter may be published; and this is the first time that I have requested the publication of even an *official* letter—the assertion of the *Globe* (July 29) to the contrary notwithstanding.

So far have I been from writing military or political articles on recent events, I have scarcely permitted myself to converse with my most intimate friends on the points in controversy. I have held myself in strict retirement, and have, at this moment, more than forty letters of inquiry from distant friends—some of them written eleven weeks ago—which I have not yet answered, fearing that I might violate the reserve I had prescribed to myself.

With great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General R. JONES,

Adjutant General U. S. A.

No. 4.

WAR DEPARTMENT,

January 21, 1836.

SIR: You will please to repair, without unnecessary delay, to Florida, and assume the direction of the operations against the Seminole Indians.

I enclose, for your information, copies of the various instructions which have issued from this Department for the suppression of the hostilities of these Indians, and of such other papers as may be necessary to put you in full possession of the state of affairs in that quarter. I enclose, also, duplicate letters to the Governors of South Carolina, Georgia, Alabama, and Florida, requesting them to call into the service of the United States such militia force as you may deem necessary, and advising them that the authority thus conferred upon you will enable you to increase, modify, or revoke any requisition which may have been made in pursuance of the powers granted to Generals Clinch and Eustis, to call upon the Executives of those States, and of the Territory, for any militia force. Their powers, also, to call for such force, will cease on your assumption of the command.

It is impracticable here to prescribe the amount of force which ought to be carried into the field. That must depend upon the actual circumstances which you may find existing when you reach the scene of operations. It is of course highly desirable that no unnecessary force should be employed, as the expense may be thereby greatly increased. Still, I would not have you hesitate for a moment in calling out such a number

of the militia as will enable you, with promptitude and certainty, to put an immediate termination to these difficulties. The horrors of such a warfare are too great to run any risk in its immediate suppression. This subject is, therefore, committed entirely to your own discretion.

The difficulties with these Indians have arisen from their indisposition to comply with the terms of a treaty concluded some time since with Colonel Gadsden. That treaty provided for their removal west of the Mississippi; but, when the period of its execution arrived, it was found that a considerable portion of the Indians were unwilling to remove. As they had ceded their whole country in Florida, it was impossible to permit them to remain there, as they would have become a lawless banditti, liable at all times to commit depredations upon the settlements. After much discussion with the agents of the Government, the Indians finally agreed that if their removal were postponed till this winter, they would voluntarily emigrate. When the arrangements began to be made for carrying this agreement into effect, a spirit of disaffection appeared, which led first to the murder of one or more of our own citizens, and then of some of their own chiefs, who were disposed to carry into effect the agreement that had been made. This state of things was soon followed by open hostilities.

Copies of the earlier communications to and from General Clinch, which are herewith enclosed, will put you in possession of all the necessary facts.

I shall state very generally the measures which have been directed by this Department.

General Clinch is in command of the troops in Florida. He has had placed at his disposal fourteen companies of the army. But how many of these have actually reached that part of the country, and are now acting with General Clinch, is not known to this Department. He was some time since authorized to call upon the Governor of Florida for such militia force as he might deem necessary. And more recently, similar authority was extended to him, to call upon the Governors of South Carolina, Georgia, and Alabama. A sloop of war and two revenue cutters have been ordered to report to General Clinch, and to co-operate with him on the southwest coast of Florida, and another revenue cutter on the eastern coast.

You will perceive, by the accompanying copy of a letter to General Eustis, that, in consequence of the unofficial, but no doubt authentic, statements which reached here a few days since, respecting the recent action with the Indians, and the destruction of the settlements, authority was given to him to call upon the Governor of South Carolina for what militia force he might require, and to accept such volunteer corps as might offer, and to proceed with this force, and with the garrisons of Charleston and Savannah, to St. Augustine, and there to assume the command, and open a communication with General Clinch. You will also see that General Eustis has detached one company from Charleston to St. Augustine. In addition to the duplicates herewith enclosed to the several Executives above mentioned, another will be transmitted to each of them by mail. On your arrival at Charleston, you will probably be able to ascertain the precise state of affairs in Florida, and to take your measures accordingly. These you will please to adopt without delay.

Should you deem it important to have a personal communication with

the Governor of South Carolina, or of Georgia, you are at liberty so to do. Your own route, however, to the scene of operations in Florida, must depend upon another circumstance. Letters from Governor Eaton, General Call, and Colonel Gadsden, copies of which are enclosed, leave but little doubt that some of the Creek warriors have joined the Seminoles. To what extent this disaffection may have proceeded, we have not here the means of ascertaining. But, from the number and position of the Creek Indians, it is highly important, if they evince any disposition to join the hostile Indians in considerable numbers, that the most vigorous measures should be adopted to check this spirit. It is probable that you will be able to obtain such intelligence in South Carolina as may enable you to form a correct estimate of the danger to be apprehended from this source ; and if there is reason to believe that the Creeks are in a hostile state, or that they meditate it, you will then call into the field such militia force as may be necessary to occupy the Creek country in Alabama, and immediately to reduce these Indians to submission. Should, however, there be no cause for alarm on this subject, your undivided efforts will be directed to the Seminoles.

Whatever expenditures may be rendered necessary, you will please to direct ; and the proper staff officers under your command will be furnished with such funds as may be required to meet them. One hundred and twenty thousand rations were some time since ordered, as a precautionary measure, to the St. John's. Whatever additional supplies may be required from the Subsistence department, will be procured upon your orders. The arsenals at Augusta, in Georgia, and at Mount Vernon, in Alabama, and the ordnance depot in Charleston, will issue such arms and ammunition as you may find necessary.

I have to request that you will ascertain from the various Staff departments at this place the arrangements which have been made, and which are necessary for the transportation, pay, subsistence, and operations of the regular force and militia which will be under your command. The great expense and inefficiency of the militia, when called out for too short a time, render it indispensable that no force of that description should be received into service for a shorter period than three months from the time of their arrival at the place of rendezvous ; to be disbanded previously, if their services should not be so long required.

You will take care to have the militia regularly mustered into service, and that the number of officers is in proper proportion to the number of men.

I have also to request that you will give the necessary instructions for the preservation and accountability of the public property. There is, upon these occasions, too often, so great a waste, particularly where a militia force is brought into the field, that great circumspection should be used.

You will see by some of the accompanying documents, that many of the negroes have been captured by the Indians, and that there is reason to apprehend that they will be transported to Cuba. I have to ask your particular attention to the measures indicated to prevent the removal of those negroes, and to ensure their restoration. You will allow no terms to the Indians, until every living slave in their possession, belonging to a white man, is given up.

Governor Eaton has also suggested, as his letter will show, that some

of the fishing vessels on the coast of Florida are engaged in co-operating with the Indians. This subject should be immediately investigated; and I refer you, for the proper measures, to the suggestions contained in the letter of yesterday to General Clinch.

I have also to request that you will communicate freely with Governor Eaton, and advise him of your movements. So far as any expense may have been encountered, by his direction, in the defence of the Territory, which can be met by this Department, agreeably to the usages of the service, you will order to be paid on the proper vouchers. But, if doubts exist as to whether they are legally payable without a specific appropriation therefor, you will refer them here for consideration.

The line dividing your own department from that of General Gaines is at present an imaginary one, and probably would, if run, actually pass through the scene of hostilities. You will pursue your operations, therefore, without regard to any such divisionary line.

General Clinch has been instructed to allow the Indians no pacification, till they are unconditionally subdued, and till they consent to an immediate embarkation for the country west of the Mississippi. This point you will particularly advert to, as also to that branch of the instructions to General Clinch which directs him to deliver over to the civil authority such of the Indians as were guilty of individual outrages before the commencement of hostilities. If the Creeks have engaged or should engage in these hostilities, you will, in like manner, promptly subdue them, and make it an indispensable condition of peace being granted to them, that they depart, as soon as the Government can make the proper arrangements, for their country west of Arkansas. In both of these cases, it will be proper that a vigilant supervision be exercised over these Indians, till their removal; and that they be accompanied by such a force as will keep them quiet. Their arms and ammunition will be taken from them, and not restored until they shall have reached their new country. And even then, a discretion must be exercised by the military commanding officer in that quarter, to withhold them for as long a period as he may think proper, if the Indians evince any spirit of disaffection. Colonel Hogan is the principal agent for the removal of the Creek Indians. He will be directed to report to you, and to receive your instructions; and he will be able to communicate to you all the necessary information respecting the views of the Government on the subject of the removal of these Indians, and their mode of proceeding.

General Clinch will give you similar information concerning the Seminoles, as he has been for some time in communication with them, and understands fully the views of the Department. General Thompson, the principal removing agent, has been killed, and General Clinch has been requested to assign an officer to do his duty.

Reposing entire confidence in the arrangements you may make, and in the promptness and vigor of your movements,

I remain, sir, &c.,

LEWIS CASS.

Major General WINFIELD SCOTT,

Washington City.

No. 5.

HEADQUARTERS, FLORIDA VOLUNTEERS,

Camp near Fort Defiance, December 22, 1835.

SIR: Having heard of the distress and alarm on this frontier, occasioned by Indian depredation, I raised a detachment of 250 volunteer mounted riflemen from my brigade, and, under the orders of the acting Governor, proceeded to this border, where I found about the same number of men, under the command of Colonel Warren, of the East Florida militia. I have assumed command of the whole, making my force about five hundred men. They were raised, however, for only four weeks; and many of them are badly armed and equipped. The services of these troops have been tendered to General Clinch, and accepted, for the prospect of protecting the frontier. I can, sir, scarcely give you an adequate description of the frontier inhabitants. The whole country between the Suwannee and the St. John's rivers, for the distance of fifty miles above the Indian boundary, is abandoned; the frontier inhabitants shut up in a few miserable stockade forts, and the Indians traversing the country at will, burning and destroying wherever they appear. Before my arrival, a number of skirmishes had taken place, in which the Indians were invariably successful. A few days since, a detachment of Colonel Warren's command, while on their march in the margin of the Alachua savannah, was attacked by a party of Indians. His baggage guard was defeated, and his baggage captured. Two days after, I marched on the same ground, recovered one wagon, a carryall, and the greater part of the baggage. I had intended to camp that night at a house within one mile of Fort Defiance, formerly called Micanopy, where there was a supply of corn and fodder. When my spies and advance guard approached, they observed a house on fire; they pressed forward, and found the trail of a small party of Indians leading into a thick hammock; they gave pursuit, and drove them into a pond, in which there was a thick undergrowth, and a number of trees, in which the Indians were concealed. The volunteers, led by Colonel Read, the brigade inspector, gallantly entered the water, and fought most bravely, at half pistol-shot, as long as an Indian or the flash of his gun could be seen. When the fight was over, we found but four of the enemy killed. My loss was four wounded; among these was Captain Lancaster, of the 1st regiment, and George Johnson, of the 2d regiment of volunteers, while fighting bravely in the front of the action. They are all doing well, except one of the privates, whose wound I fear is mortal. I have this moment received an express, informing me that the Indians have crossed the Suwannee river, and are now burning and destroying at the Old Town. Many of my men are drawn from that quarter and a short distance beyond it; they feel much alarmed for the safety of their families, and I much fear many of them will leave me to-night. I assure you, sir, the country requires immediate protection, and it cannot be given too promptly.

Very respectfully, I am, sir, your obedient servant,

R. K. CALL,

General commanding in Florida.

To the PRESIDENT of the United States.

No. 6.

TALLAHASSEE, *January 9, 1836.*

MY DEAR GENERAL: In my last I informed you of the situation of the frontier of East Florida. I succeeded with the volunteers under my command in driving the enemy within his boundary along the whole line between the Suwannee and the St. John's. Having accomplished this important object, we united with General Clinch, who commanded the expedition into the enemy's country; the result of which, I presume, has been communicated to you through the Secretary of War.

The time for which the volunteers engaged having expired, I have returned to this place to obtain from the Governor the necessary force to prosecute the war. As yet, nothing has been done. When I left General Clinch on the 3d instant, he could not have brought into the field more than one hundred and fifty efficient men. Four additional companies were said to be at Tampa bay, on their march from that place to Fort King, but no certain intelligence had been received from them. One hundred and fifty mounted volunteers marched from this place a few days since. I ordered the commanding officer to report himself to General Clinch, by whom they will be employed as a protection to the frontier until we are prepared for a campaign. To put a prompt and successful termination to this war, we require an army of 2,500 or 3,000 men. About one-third of this force can be raised in the Territory, the balance must consist of regulars and militia from the neighboring States. I shall return to the frontier in some capacity or other, so soon as I can raise a force of any description. I should be highly gratified to command the army, and believe I could soon bring the war to a close. I fear, however, this I cannot do without injustice to General Clinch. He is a brave and good man, but I fear he is too slow in his movements to conduct a war against the Indians.

I had many difficulties to contend with in my late expedition, and, among others, mutiny and desertion among my troops; but the examples I have made of the offenders will have a salutary effect hereafter.

The power of the enemy is variously estimated; by those best informed at from 1,200 to 2,000 warriors; and it is confidently believed that a large number of the Creek Indians have united with them. They are well armed; they are waging a war of extermination, and will fight desperately.

The enclosed letter from Colonel Fitzpatrick, the President of the Legislative Council, will inform you of the manner in which arms have been furnished to the Indians. It contains other valuable information, which I beg leave to lay before you.

Very, &c.,

R. K. CALL

General JACKSON.

No. 7.TALLAHASSEE, *January 8, 1836.*

SIR: Previous to my leaving Key West, information was received from Tampa bay that a Spanish vessel had landed arms and ammunition in

the neighborhood of a Spanish fishery at Charlotte harbor, to supply the Indians on the coast. The surgeon of the post at Key West, Dr. Nourse, accompanied Major Dade's company to Tampa, and returned in the transport *Motto*, and communicated the information to several persons, and said he got it from Captain William G. Ganders and others at Tampa, and that there was proof of the fact, as he understood from them. I well recollect that, previous to my leaving Key West, I one morning observed a Spanish vessel coming in at the northwest passage, from the direction of Tampa and Charlotte harbor, which vessel brought no cargo, nor do I know whether or not she carried any away to Cuba. The collector at Key West, near two months previous to this time, had suspended from duty the inspector of the customs at Charlotte harbor for refusing to permit spirituous liquors to be landed on the island where he lived, and upon which also a Spanish subject named Caldez lives, and who is carrying on a fishery, and has a vessel trading there under Spanish colors, manned in part by Seminole Indians. There is but one citizen of the United States attached to the concern, who is the person that brought the charges against the inspector, and who has been going backwards and forwards in the Spanish schooner since that time; with this exception, the fishery is carried on by Spaniards and Indians, and is owned by a man named Badia, who lives in Havana. I know that the Spaniards interested in the fisheries have been much dissatisfied on account of the proposed removal of the Indians, and that they have heretofore derived much benefit from the services of the Indians at the fisheries and on board these vessels; and that this man Caldez is more dreaded by, and has more influence over the Indians, than he ought to have. There being no inspector at this point, and the collector having sent the revenue cutter to New Orleans, arms and ammunition, or any thing else, in any quantity, could have been landed there at any time with impunity. As the southern section of Florida is very little known except to the Indians, I take the liberty to offer you such information as a residence of more than twelve years in that section of country has enabled me to obtain. From Cape Roman, on the west coast, to Cape Sable, and from thence to Cape Florida, are innumerable islands formed by rivers and creeks running from the Everglades, (so called,) and having for their source the great lake Macaco, where the Indians go in their light canoes, and where they have some towns and cornfields. This part of the country is little known to the white man, but the Indians are perfectly acquainted with it; and if they are driven from their present position, they will certainly go there. I have good authority, upon which I can rely, that many canoes with women and children, and some men, have been sent there some time ago; and if the warriors are driven there, they can sustain themselves against four times their number. They can live on the *conte root*, which abounds in the vicinity of Cape Florida and New river, and the great abundance of fish and turtle which are found in the rivers and on the seacoast, and which they take in any quantity at pleasure. From Cape Sable to Cape Florida, inside of Key Largo, and the other keys, there is but one white man living that has ever penetrated it, and passed through; it is there the Indians have their hunting-grounds, and from where they can retire into the islands in the Everglades, and can go to the east as far, and even beyond New river, and to Charlotte harbor on the west. Steamboats of light draught of water, having plenty of small boats of the least possible draught, are the

only means by which you can follow the Indians in their canoes. One should go to Cape Florida, and proceed east to Indian river, where she can enter and go up the lagoon, and the St. Sebastian and St. Lucia rivers ; another should go down through Key Biscayno bay (where the light-house is) and into Barne's sound, and pass through in boats to Cape Sable : and another should go through from Indian Key to the Cape Sable, and proceed along the coast to Cape Roman and Charlotte harbor. Those vessels and boats should, by all means, get pilots at Indian Key and the neighborhood, who have a knowledge of the navigation, as any person unacquainted will find the greatest difficulty to get along.

I am thus particular because I know much inconvenience and difficulty will necessarily occur in the fitting out an expedition to go on a coast so little known ; and I am certain that if the Indians once get down there, they can sustain themselves for years against a superior force, and that it will be impossible to starve them out. I very much hope that the Government will see the necessity of destroying those Spanish fisheries, and of prohibiting their vessels from carrying on any trade on the coast. I tender you my services in any way I can be useful in any expedition which may be sent to any part of the Territory.

Respectfully, &c.,

C. FITZPATRICK.

General R. K. CALL.

No. 8.

TALLAHASSEE, *January 9, 1836.*

DEAR SIR: By the enclosed despatch from General Call, you will perceive that the volunteers have returned home, and the security of the frontier of this Territory and Georgia is now at the mercy of the Indians. A few regulars, equal to garrison duty, and one hundred and fifty militia, are all the force, by General Call's report, which is now in the field. Militia are few and widely scattered here ; and as for arms, there are none. I send to-morrow an express to Augusta, as in my letter I advised you I should do, to procure arms. If successful, an expedition may be gotten up again by the last of this month.

Again let me repeat, that a large and imposing force will be necessary, as being the most economical, to put down these Indians. A force barely adequate—men with but little confidence in themselves, and are all the time going to and coming back from the war—such you will see was the case with General Call's volunteers. Their term had expired, and they would come home, with an enemy just in view of them. The country is full of morasses and swamps, and such a force should be ordered that occasional detachments may be sent out in different directions, to intercept and cut up the enemy, and parties be left to guard depots that necessarily may be required to be formed in the rear of the advance.

Two or three steamboats, to cover the coast, to transport troops, and to furnish supplies, will also be necessary, and will prove economical. Although their cost will be \$1,500 or \$2,000 a month to the Government, in the end they will prove cheapest.

I have written to the Governor of Georgia, to know if he cannot take the responsibility of sending a force into the field. Prompt action, and a good force, will quiet every thing here in forty or sixty-days: tardiness, and want of decision, may make it last a year. Why not order all the Spanish vessels who fish on our coast, and no doubt aid and encourage the Indians, under their fishing pretexs, to depart out of our waters? The acts of 1794, June 5th, and of 1800, April 24th, give the President the power to do so. It is very important, I assure you. If you will authorize me, I have a steamboat, with naval officers on board, to whom I will assign the duty. I think I have already the authority myself, but do not desire to act without the approval of the President.

Yours,

J. H. EATON.

LEWIS CASS, *Secretary of War.*

No. 9.

TALLAHASSEE, *January 8, 1836.*

SIR: I enclose you herewith my report of the result of the expedition to the Indian country, from which I have just returned. The exposed situation of the frontier, the hostile attitude and warlike character of the Indians, require that the most prompt and efficient measures should be adopted without delay for prosecuting the war in the enemy's country. The precise strength of the enemy has not been ascertained. It is variously estimated by men of intelligence to be from 1,200 to 2,000. It is known they have applied to the Creek Indians for assistance, and no doubt is entertained that a considerable number of warriors from that nation are already in the country. Though I have, with the forces lately under my command, driven back the enemy within his own boundary, along the whole line of the frontier, from the Suwannee to the St. John's, yet, on the east of the latter river, at the last intelligence, the work of desolation was still progressing, and all the plantations south of Tampa were destroyed. The Indians are resolved not to abandon the country which contains the bones of their fathers. They have raised the tomahawk in despair: they are waging a war of extermination, and the safety of our fellow-citizens requires that not a moment should be lost in carrying the war into their own country. As yet, no preparation has been made. General Clinch, when I left him on the 3d instant, could not have carried into the field a regular force of more than one hundred and fifty men; four additional companies were said to be at Tampa bay, or on their march from that place to Fort King. But no certain intelligence had been received, and some fears are entertained that they may have been cut off by the enemy.

The country in which we must meet the enemy is peculiarly favorable to the Indian mode of warfare. It is interspersed with swamps and hammocks, where alone they are to be found, and in which they have a decided advantage. To bring this war to a speedy and successful issue, an army of 2,500 or 3,000 men should be immediately ordered into the field. I have written to the President of the United States, asking for 1,000 regular troops. I would now recommend that 1,500 foot-men, well armed

and equipped, be requested from the State of Georgia, for the term of six months, and that all the disposable force of the Territory be called into service for the same length of time. With such a force, well employed, the war may be brought to a conclusion in a short time; but it is in vain to think of subduing a fierce and desperate enemy, selecting his own ground for battle, with a force less efficient.

The detachment of one hundred and fifty volunteers, which I met on its way to the frontier, I placed under the command of Colonel Parish, whom I directed to report himself to General Clinch. They will serve as a guard to the settlement, until an army can be carried into the field.

Very respectfully, your obedient servant,

R. K. CALL.

Governor EATON.

No. 10.

TALLAHASSEE, *January 8, 1836.*

SIR : The term of service for which the volunteers from Middle Florida engaged having expired, they are now on their return march to this place, where they will be discharged. They have made a most active and fatiguing expedition. They have rendered faithful and important services. We found the enemy in possession of the country for thirty miles above the Indian boundary. The inhabitants have abandoned their homes, and were collected in a few small forts constructed in the different neighborhoods. The Indians, divided into small bands, were spreading desolation over the whole land. The prompt and rapid march of the troops under my command soon routed and drove them within their own limits.

HAVING accomplished this important object, the disposable regular force under the command of General Clinch, consisting of about two hundred men, was united with the volunteers at Fort Drane, from where we resolved to make a rapid movement into the enemy's country, and attack them in their towns. The volunteers from Middle Florida had at that time but four days to serve, and we were able to carry with us only a sufficient supply of provisions and forage for that period. Our guide had informed us that in two days' march we should arrive at the Withlacoochee river, at a point where it might be easily forded, and that within a mile from the river we should find a large town of the enemy. On the morning of the 31st of December we issued from our camp before day, and soon after it was light we arrived on the bank of the river, where we were greatly surprised to find, instead of a ford over which to pass, we had to encounter a deep and rapid stream, with no other means of crossing than that of an Indian canoe found at the opposite side. The regulars crossed; and, when a very small portion only of the volunteers had gained the opposite bank, the Indians in a large body commenced a spirited and unexpected attack, which continued for some time. During the fight the volunteers continued to cross the river, and support the troops engaged, until the enemy was driven back. It was owing to their appearance in the field, and the gallant intrepidity with which they fought, that the regular troops were not entirely cut off. It was to them as well as

myself a [subject] of deep mortification and regret, that so few of us should have been enabled to participate in the danger and glory of the day : but, from the time of attack, and the circumstances under which it was made, it was unavoidable. I crossed the river myself during the fight, and did not arrive on the field till it was nearly ended.

Colonel Parkhill and Colonel Read were in the staff of General Clinch. They, with my aid-de-camp, Major Wellford, were among the foremost in the field, and were greatly distinguished for their bravery and usefulness during the fight. The loss of the enemy is variously estimated at from forty to sixty killed. Our loss was four killed and fifty-nine wounded. Among the latter was Captain Graham, Lieutenants Campbell, Graham, and Ridgely, of the regular troops ; Colonel John Warren, Major Cooper, and Lieutenant * * * * *, of the volunteers. None of the wounds of the officers are considered dangerous, except Major Cooper's. He was shot through the lungs, but hopes are entertained of his recovering.

The number of our wounded, and our want of supplies to enable us to proceed further into the country, compelled us to recross the river. This was successfully done about sundown, in the presence of the enemy, who appeared to have been reinforcing during the whole day. The volunteers formed the right and left flanks, resting on the river above and below the landing. The regulars formed the centre part of the line, uniting with the volunteers. The enemy formed a line some distance from us, covering our whole front. The war-whoop was repeatedly given along the line, and we were in momentary expectation of an attack, while recrossing the river on a log, which in the course of the evening had been prepared for that purpose. We encamped at dark on this side of the river, under the sound of the war-whoop, but the enemy had suffered too severely to renew the attack ; and the next day we returned with our wounded to Fort Drane.

I am, sir, very respectfully, your obedient servant,

R. K. CALL.

His Excellency JOHN H. EATON,
Governor of Florida.

No. 11.

WAR DEPARTMENT, *January 11, 1836.*

SIR : I am instructed by the President to say to you, that you will continue your operations against the Indians until they are reduced to submission. You will grant them no pacification but upon their unconditional surrender, and with a distinct understanding that they embark immediately on board the vessels that have been provided, and proceed, without delay, to the country that has been set apart for them west of the Mississippi river. All the necessary arrangements for that purpose will be made, in conformity with the previous instructions, by General Thompson, in conjunction with yourself. From the state of feeling manifested by the Indians, it will be proper that the necessary guards should accompany them. And for this you will provide as in your opinion circumstances will require. When a pacification is granted to the Indians, they

must place themselves immediately under your control, and must be properly secured until they can be embarked. Such of them as you can ascertain have been guilty of private murders, previous to the commencement of hostilities, or any other infraction of the laws, you will apprehend and deliver over to the civil authorities for examination.

Very respectfully, your obedient servant,

LEWIS CASS.

General D. L. CLINCH,
Fort King, Florida.

HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,
Washington, January 21, 1836.

ORDER NO. 7.

The commanding officers of the companies at Forts Johnston and Macon, in North Carolina, and at Savannah and Augusta arsenal, in Georgia, will proceed forthwith to Picolata, Florida, with the effective force of their respective companies, leaving only the ordnance sergeants and invalids. The medical officers of the army, at the above posts, will accompany their respective garrisons.

The detachment of dragoon recruits at New York, and the detachment of recruits for the artillery and infantry at the same place, will proceed to Picolata, Florida—the former under the command of Captain Wharton, of dragoons; the latter under the command of Lieutenant Herring, of 3d artillery. Lieutenants Simonton and Wheelock, of dragoons, and Lieutenant Beall, of 1st infantry, are assigned to the command of Captain Wharton; and Lieutenant Poole, of the 3d, and Lieutenant Humphreys, of the 2d artillery, are assigned to the command of Lieutenant Herring.

The following officers are relieved from the duty to which they are now assigned, and will forthwith repair to Picolata, Florida, on their way to join their respective companies :

2d Lt. Morris, of the 1st artillery,	-	-	-	company C.
1st Lt. Chambers,	2d	"	-	" G.
1st Lt. Dancy,	2d	"	-	" D.
2d Lt. Burnett,	2d	"	-	" F.
2d Lt. Stockton,	2d	"	-	" A.
2d Lt. Fuller,	2d	"	-	" G.
2d Lt. Ward,	2d	"	-	" G.
2d Lt. Linnard,	2d	"	-	" H.
2d Lt. Burk,	2d	"	-	" H.

Assistant Surgeons Myers, Suter, and Cuyler, will repair without delay to Florida, and report to the officer in command.

Assistant Surgeon Worrell will repair to New York without delay, and there await the orders of the Surgeon General.

Major General Scott will repair to Florida, and take command of the troops operating against the Indians in that quarter. Besides his personal staff, he will be joined by Captain Canfield, of the topographical engineers, Lieutenant Van Buren, aid-de-camp, and Lieutenant Johnson, of the 4th artillery.

The commanding officer of Fort Monroe will send two officers from his command—the one to Fort Macon, the other to Fort Johnston, in North

Carolina, to take charge of those posts during the absence of their respective garrisons.

The chiefs of the staff departments will make the necessary arrangements for the transportation and supplies for the troops destined for Florida.

By order of Major General Macomb.

S. COOPER,
Acting Adjutant General.

No. 13.

WAR DEPARTMENT, *January 21, 1836.*

SIR : The recent intelligence which has been received here respecting the state of affairs in Florida, has rendered it expedient to order Major General Scott to proceed to that Territory, and to assume the direction of the operations against the Seminole Indians, and also against the Creek Indians, should these latter have engaged in hostilities, as, from recent information, there is some reason to apprehend.

I am instructed by the President to request you to call into the service of the United States, and to place under the command of Major General Scott, such portion of the militia of Georgia, Alabama, and Florida, as he may require to be employed in suppressing the hostility of the above-mentioned Indians. It is expected that the militia thus called out will serve for at least three months after they arrive at the place of rendezvous, unless sooner discharged.

I beg leave to suggest that the authority thus conferred upon General Scott will enable him to increase, modify, or revoke any requisition which may have been made by General Clinch, in conformity with the letter which I had the honor to address to you on the 8th instant. This authority will also supersede the powers intrusted to those officers on this subject, as soon as General Scott shall have taken the personal direction of operations.

Very respectfully, &c.,

LEWIS CASS.

His Excellency WM. SCHLEY,
Governor of Georgia, Milledgeville.

His Excellency C. C. CLAY,
Governor of Alabama.

His Excellency JOHN H. EATON,
Governor of Florida, Tallahassee.

WAR DEPARTMENT, *January 21, 1836.*

SIR : The recent intelligence which has been received here respecting the state of affairs in Florida, has rendered it expedient to order Major General Scott to proceed to that Territory, and to assume the direction of the operations against the Seminole Indians, and also against the Creek

Indians, should these latter have engaged in hostilities, as, from recent information, there is some reason to apprehend.

I am instructed by the President to request you to call into the service of the United States, and to place under the command of Major General Scott, such portion of the militia of the State of South Carolina as he may require to be employed in suppressing the hostility of the above-mentioned Indians. It is expected that the militia thus called out will serve for at least three months after their arrival at the place of rendezvous, unless sooner discharged.

I beg leave to suggest that the authority thus conferred upon General Scott will enable him to increase, modify, or revoke any requisition which may have been made by Generals Clinch or Eustis, in conformity with the letters which I had the honor to address to you on the 8th and 17th instant.

This authority will also supersede the powers intrusted to those officers on this subject, as soon as General Scott shall have taken the personal direction of operations.

Very respectfully, &c.,

LEWIS CASS.

His Excellency GEO. McDUFFIE,

Governor of South Carolina, Charleston, S. C.

No. 14.

HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,
Washington, January 25, 1836.

GENERAL ORDER, No. 9.

1. The 6th regiment of infantry will be prepared to move from Jefferson barracks, at Fort Jesup, Louisiana, as soon as the season and navigation will permit. Brevet Brigadier General H. Atkinson will see to the execution of this order, as to the time of departure of the regiment; but will remain at Jefferson barracks, and continue in his present command. Surgeon Findlay, and Assistant Surgeon Hughey, will proceed with the regiment to Fort Jesup.

2. Major A. R. Thompson, now of the 6th infantry, and Captain J. Rogers, of the same regiment, will be relieved from the recruiting service, and join their regiment with all the disposable unattached recruits.

3. Captain H. Smith, Lieutenants Cady, Freeman, and Williams, on engineer service, and Lieutenant Drayton, on topographical duty, all of the 6th infantry, will forthwith be relieved and join their regiment.

4. Fort Armstrong will be evacuated as early as practicable, and the garrison, commanded by Lieutenant Colonel Davenport, of the 1st infantry, will be transferred to Fort Snelling, St. Peter's, except one officer, one non-commissioned officer, and ten men, to take charge of the public property at that post till it be disposed of. Assistant Surgeon Emerson will proceed with the command to Fort Snelling.

5. The companies of the 1st regiment of artillery, respectively stationed at Forts Severn and Washington, and the Washington arsenal, will immediately proceed to Fort Monroe, and thence, without delay, to join

the army in Florida, via Savannah, and the St. John's river. The battalion will be commanded by Major Gates. The following officers of the regiment on detached service will forthwith be relieved, and join their respective companies, for active service, without delay : 1st Lieutenants A. D. Mackay and E. S. Sibley, from engineer, and 2d Lieutenant D. E. Hale, from ordnance duty. Assistant Surgeon Hawkins will accompany the battalion of artillery under Major Gates to Fort King, and then proceed to comply with his previous orders.

6. Major N. S. Clark, now of the 2d infantry, will assume command at Hancock barracks ; and Brevet Major Dearborn, with companies F and K, will proceed to Boston harbor and garrison Fort Independence. The quarters will forthwith be cleared and be prepared for the accommodation of the troops, by the proper departments, and, when ready, the commanding engineer at Boston will notify Major Dearborn accordingly.

7. The officers of the proper departments will furnish the necessary transportation, supplies, and all facilities for the execution of this order.

8. Captain G. W. Allen, 4th infantry, now on recruiting service, will repair to New Port, Kentucky, there relieve Major Thompson, and assume the duties of superintendent in the Western Department. Lieut. Barry, of the 1st regiment artillery, is assigned to duty at New Port, Kentucky.

By order of Alexander Macomb, major general commanding in chief.

R. JONES,
Adjutant General.

No. 15.

WAR DEPARTMENT, *January 29, 1836.*

SIR : By a report from the collector of Key West, it appears that much alarm prevails there in consequence of the defenceless state of the island.

I have to request, as soon as you can properly do so, that you detach one of the companies under your command to reoccupy that place.

Very respectfully, &c.,

LEWIS CASS,
Secretary of War.

Major General Scott,
Augusta, Georgia.

WAR DEPARTMENT, *January 29, 1836.*

SIR : I have been informed by General Hamilton that, under certain resolutions of the citizens of Charleston, volunteers have been called into the service, and provisions, ammunition, &c. purchased, with a view to aid in relieving the inhabitants of Florida from the devastations of the Seminole Indians.

I have to request that, so far as this force may be useful to you, it may be received into the public service; and that you will also authorize the reception and payment of the above-mentioned articles, if you shall need them in the prosecution of the duties intrusted to you. I am desirous

that, so far as expenses have been incurred under the above resolutions, and with the generous motive which no doubt prompted them, that can be met agreeably to law and the usages of the service, this should be done; and I presume this object will be most readily effected by taking the volunteers and the *matériel* provided into the public service. Still this measure must depend upon your own view of your wants, and of your means of supplying them.

I have requested the Navy Department to issue the necessary instructions to the revenue cutters employed on the Florida coast, to receive your orders, and also to desire Commodore Dallas, with the squadron under his command, to co-operate with you. Be pleased to communicate freely with Commodore Dallas.

Very respectfully,

LEWIS CASS.

Major General Scott,
Augusta, Georgia.

No. 16.

STEAMBOAT ROANOKE,

River Roanoke, January 25, 1836.

SIR: General Scott directs me to present his compliments, and begs that you will send to Augusta, Georgia, several sets of Infantry Tactics—1st and 2d volumes—for the use of the militia, and several other sets of the same to Fort King, Florida.

I am, sir, very respectfully, your obedient servant,

A. CANFIELD,

Captain Topographical Engineers.

General R. JONES,

Adjutant General United States Army.

P. S.—We have lost, by an accident on the railroad, fifteen hours; my letter from Petersburg, Virginia, should have been dated January 24th.

No. 17.

FAYETTEVILLE, N. C.,

January 27, 1836.

SIR: General Scott directs me to say that he wishes a quantity of tents to be sent to the St. John's, East Florida, that will make, with those now there, a sufficient number for 1,500 men; and camp-kettles and mess-pans for 3,000 men.

By the accident on the railroad, we have lost twenty-four hours.

We shall probably stop one day at Columbia, two days at Augusta, and then proceed by way of Savannah.

I am, sir, most respectfully, your obedient servant,

A. CANFIELD,

Captain Topographical Engineers.

General R. JONES,

Adjutant General U. S. A.

No. 18.

HEADQUARTERS, EASTERN DEPARTMENT,
Augusta, Georgia, January 31, 1836.

SIR : I arrived here yesterday, after losing a day by an accident on the Petersburg railroad, and after stopping another at Columbia.

No important intelligence has reached me from the theatre of war, in Florida, except that the Seminoles are in greater force than was supposed, by the incorporation of captured and fugitive blacks, and the arrival of small parties from the Creeks in Alabama. I am happy to add that it is also reported that Brigadier General Clinch has communicated with the St. John's river, and received from thence several wagon loads of supplies, and a detachment of recruits.

At Columbia, I learned from Brigadier General Eustis that he had called upon the Governor of South Carolina for a detachment of 600 men. The Governor being absent, I addressed a letter to him, requesting that the force might be extended to a *regiment* of ten companies, making 740 men, including sergeants, corporals, and musicians. On my way hither, I found that regimental meetings had been ordered by the Governor, for the purpose of furnishing the force required by Brigadier General Eustis, and heard that one regiment had given, by volunteering, the company required of it. In regard to the object of the call—the war in Florida—I witnessed every where, on my route, an excellent spirit on the part of the South Carolinians.

On receiving, at this place, from Colonel Lindsay, and other well informed persons, better intelligence respecting the force of the enemy, and the character of the country in which I have to conduct the war, my views and measures have been materially modified. It is now my opinion that the Seminoles cannot be promptly reduced to submission by a force much short of 5,000 men, and that the greater part of this force ought to be mounted.

I have accordingly made a second requisition upon the Governor of South Carolina, and for a regiment of *mounted* men, to rendezvous at Purysburg, on the lower Savannah river; whence I propose to cause them to march into Florida *via* Picolata. And I have required of the Governor of Georgia two regiments of mounted men, to which I propose to give nearly the same direction—that is to say, Picolata, Fort Drane, or Fort King. For Tampa bay, and to co-operate thence with the forces to be assembled on the St. John's river and its vicinity, I have further made a requisition upon the Governor of Alabama for a fifth regiment, to serve on foot, and which I have requested him to cause to rendezvous at Mobile. Colonel Lindsay I shall despatch from this place, for the purposes of mustering this regiment into service, and of furnishing it with arms, accountrements, subsistence, and the necessary means of transportation to Tampa bay, where, having arrived, he will be instructed to assume the command of the regiment and the companies of artillery now at that post.

I am afraid it will be supposed that I have called for too large a militia force for the suppression of the Seminoles; but I have not conversed with an intelligent person in the South who does not believe an army of 5,000 men indispensable to the speedy accomplishment of that object; and I have required that the greater part of this force shall be mounted, as be-

ing infinitely more effective against Indians than the same numbers on foot. The theatre of operations, also, I learn from persons much better acquainted with it than myself, is much less unfavorable to the movements and subsistence of horses than I had supposed, and I shall take care to have ample supplies of corn placed at Tampa bay, and on the St. John's.

[I find here a large number of muskets, but no accoutrements, and no cartridges for them, and the public powder being utterly *unfit for service*. Colonel Lindsay has, in order to supply the immediate demands of the service, been obliged to purchase powder, and to detain Captain Baden's company to make cartridges. Why we have taken the trouble to build arsenals, and to deposite muskets, without accoutrements, and without cartridges, it is not for me to say. Doubtless the three should always be found together.]

This arsenal is also without knapsacks, and Brigadier General Eustis writes to Colonel Lindsay that there are less than 2,000 in the harbor of Charleston. The latter informs me that he has required of Major Garland 3,500. I hope that they have already been shipped to Savannah or Picolata, together with tents for 1,500 men, in addition to the number now in use of the troops in Florida, in store at this place and in Charleston. The 1,500 additional tents I asked Major Garland, whilst at Washington, to have sent without delay. Tents, in sufficient numbers to cover at least one-half of the men I shall have in the field; musket accoutrements for every musket, and knapsacks for *every* man, are indispensable. Haversacks are equally wanted; but as it would be in vain, I fear, to inquire for these at any of our depots, I have already given orders to have a sufficient number made.

Lieutenant Colonel Talcott told me, at Washington, that 500 of Hall's patent rifles had been sent to Charleston, and, on inquiring of Colonel Bomford, he stated the number sent thither to be 2,500. He added that every rifle was accompanied with every thing necessary to its use in the field. As it is my intention to arm a large portion of the militia called for with this rifle, I shall be infinitely distressed to learn that any part of Colonel Bomford's statement, made to me, should prove inaccurate.

I shall want, on the St. John's river, say at Picolata, in the next three months, about 320,000 rations, and, in the same time at Tampa bay, 160,000—including the number which may now be supposed to be at the two places. Of the meat part of the rations, I wish a third part to consist of bacon, (side pieces,) a third part of salt pork, and the remainder of fresh beef, which I shall cause to be purchased, and to move on the hoof with the army. In respect to bread, I wish at least three-fourths to be in the form called *hard*; for we shall have no time to bake for ourselves, and hard bread is more portable than soft, or the flour necessary for the one or the other. Please give a memorandum to the above effect to the Commissary General of Subsistence; that will suffice for him.

I think of setting out to-morrow evening for Milledgeville, in order to confer with the Governor on the hostile dispositions recently evinced by the Creek Indians on the borders of this State. From the facts which have reached me, I think it probable that I shall deem it necessary to place a body of Georgia militia, and another like force from Alabama, in observation upon those Indians, as well to hold them in awe as to prevent their sending further reinforcements to the Seminoles.

This letter ought properly to be addressed to the Secretary of War ; but, as the General-in-chief complained, on a former occasion, that I did not communicate with him, I address myself to you for the information of both the Secretary and the General-in-chief.

I have the honor to remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General R. JONES,
Adjutant General U. S. A.

P. S.—I expect to be back here at the end of three days, and at Savannah in a week. W. S.

No. 19.

CHARLESTON, *January 31, 1836.*

GENERAL : I have seen General Eustis, and placed him in possession of your letter. I have also said to him what you desired. Colonel Bankhead will leave here probably on Tuesday for Savannah. There is a letter here, directed to you, from Major Garland, stating that tents for 1,000 men are ordered to Savannah. This letter is enclosed herewith. I am sorry to say that your fears as to the rifles were well founded. Not one of Hall's has been sent here ; there are, however, 200 on hand, of the old pattern. There are but 38 common tents on hand, and none of any other kind at this place.

General Eustis is of opinion that both horses and mules should be purchased.

Nothing has been received from Fort King since the 6th instant ; not much apprehension, however, is entertained of its safety. Captain Drane, with about 80 men, well armed, left Picolata about the 11th, with provisions for that post : of these, also, nothing has been heard. If they had not succeeded in reaching their destination, the bad news would probably have reached this city. With an apology for this scrawl,

I am, General, your most obedient servant,

A. VAN BUREN.

Major General SCOTT, *Augusta, Georgia.*

No. 20.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, February 2, 1836.

Having ascertained that the Governor of this State would be absent from Milledgeville to-day and to-morrow, I have delayed setting out to see him till this evening. I shall be back here in two or three days, and then proceed to Savannah, where I shall necessarily be detained longer than I could wish.

As apprehended, of the five hundred patent rifles said by Lieutenant Colonel Talcott to be at Charleston, and the 2,500, as reported by Colonel

Bomford, not one has arrived! I wish this fact to be distinctly placed under the eyes of the Secretary of War. From the want of rifles we shall be obliged to arm the volunteers and draughts with muskets, and here again, although we have muskets in abundance, at this arsenal and at Charleston, we have (as reported to me by Brigadier General Eustis and Colonel Lindsay) but about two thousand five hundred musket accoutrements! It is useless, under such disappointments, to waste time in sending to the arsenal at Mount Vernon. I shall take it for granted that that depot, like all the other ordnance establishments in this quarter, is deficient in its supplies.

In this state of disappointment and vexation, I shall endeavor to borrow of South Carolina, say 1,500 musket accoutrements, and twice as many knapsacks; but it is doubtful whether South Carolina has them to lend. Our store-houses are equally deficient in camp-kettles; these I have no hope of borrowing, and shall therefore immediately give orders to have as many made here, at Savannah, and Charleston, as I shall probably want.

I have just received from Major Garland an invoice of tents for one thousand men ordered to Savannah. I asked him for one-half more, and he has sent no other article of camp equipage.

Musket cartridges, say 160,000 rounds, I wish to be immediately sent from the North to Picolata. The companies of Captain Baden and Van Ness, here and at Charleston, are now engaged in making a supply for immediate use. On the subject of the strange deficiency under this head I have already (in my last letter) spoken with indignation.

I have to ask that the attempt be yet made to send to the St. John's river twenty-five hundred of Hall's patent rifles, *with every thing necessary for their use in the field*. They may possibly arrive in time.

Copies of my letter to the Governors of South Carolina, Georgia, Alabama, and Florida; also to Colonel Lindsay, who will leave here in a day or two, will be sent to you by one of my staff to-morrow, in my absence.

The Seminole force, I have every reason to believe, is much greater than was apprehended at the time I left Washington. Governor McDuffie, among many others, strongly recommends that an overwhelming force should be marched into Florida at once.

I fear that I shall have a difficulty in obtaining the two regiments *mounted*, asked for from this State.

Cannot the 4th infantry be ordered from Louisiana to the theatre of operations? Volunteers to occupy the United States barracks at New Orleans, and to keep guard in that city, might readily be obtained, by arrangement with the Governor of Louisiana, for a few months. I am strongly tempted to carry this idea into execution.

I have reason to believe that the greater part of the Creeks, on the borders of this State, now remaining in the nation, are disposed to maintain peace with us. The band called *Eucheas* may be excepted. Between it and the whites, near Columbus, there has been some fighting, six or ten days since; and no doubt many of the young Creeks have gone off to join the Seminoles. All these matters I shall understand better when I shall have conversed with Governor Schley.

On looking again at Major Garland's letter, I do not perceive that the tents are to be sent to New York for shipment, in case the Delaware should be closed with ice. I may not, therefore, hear of them till the next

general thaw. I beg that twice that number of wall and common tents be immediately sent to Florida, from New York, together with camp-kettles for 1,500 men, as I may not be able to have made here, at Savannah, and Charleston, half the number wanted of the latter article.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,

Adjutant General U. S. Army.

No. 21.

AUGUSTA, GEORGIA, *February 3, 1836.*

GENERAL: I have the honor to transmit, by General Scott's order, copies of his letters to the Governors of South Carolina, Georgia, Alabama, and Florida, and to Colonel Lindsay.

With the highest respect, your obedient servant,

J. E. JOHNSTON,

Lieutenant Artillery.

Brigadier General JONES,

Adjutant General U. S. Army.

No. 22.

HEADQUARTERS, EASTERN DEPARTMENT,

Columbia, S. C., January 29, 1836.

SIR: With this I have the honor to transmit to you a duplicate communication from the Secretary of War.

By a letter from Brigadier General Eustis, just received, I learn that he has made a call upon your excellency for six hundred men. I will ask that that force be extended to a regiment, and that it consist exclusively of infantry, or infantry and riflemen—that is to say, of ten companies, with the field and staff provided for by the acts of Congress on the subject.

Volunteers will be gladly accepted in lieu of militia draughts, and I presume that they may be more readily obtained. For greater explicitness, I will add that *mounted* infantry or riflemen are not required.

I beg leave to suggest that it would much hasten the arrival of the force on the theatre of operations, say the St. John's river, East Florida, if your excellency would have the goodness to designate for the companies several different points of rendezvous, in the navigable waters of the State, convenient for embarkation on board of the steamboats.

Arms and accoutrements shall be supplied by the United States. Any volunteers from the State already accepted to serve for the period of three months, unless sooner discharged, may be considered as a part of the force herein called for.

I shall set out to-night for Augusta, Georgia, where I may be detained several days, and then expect to proceed to Savannah. At the one or

other place, I shall be happy to learn from your excellency what points have been given for the rendezvous of the South Carolina regiment.

I have the honor to remain, with high respect, your excellency's most obedient servant,

WINFIELD SCOTT.

To his Excellency GEORGE McDUFFIE,
Governor of South Carolina.

No. 23.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, January 31, 1836.

SIR: Since I had the honor to address you on the 29th instant, I find it necessary to provide for a larger force than was then deemed necessary to put down the Seminoles in Florida, and to hold in check the Creeks in Alabama. I have, accordingly, now to call upon your excellency for a regiment of mounted men (to be armed as infantry or riflemen) for service in Florida, in addition to the regiment of foot already called for from South Carolina.

I will ask your excellency to be pleased to order the companies of mounted men, as soon as draughted, or raised by volunteering, to rendezvous at Purysburg, on the Savannah river, at that place. An officer of the United States army shall be in waiting to muster into the service of the United States the companies, as they shall successively arrive, and to furnish the arms and accoutrements which may be required. The period of service for both regiments will be three months, unless sooner discharged, and if your excellency should prefer that the two regiments furnished by your State should be considered as forming a brigade, be pleased to designate the usual general staff for the same, and they shall be accepted and mustered into the service of the United States.

Hoping to hear from you on the subject of this and my former letter, I will add that I expect to remain in this place four or five days longer, and, if obliged to visit Milledgeville to procure better intelligence respecting the temper and movements of the Creeks, that I shall return here within the time specified.

I have the honor to remain your excellency's most obedient servant,
WINFIELD SCOTT.

To his Excellency GEORGE McDUFFIE,
Governor of South Carolina.

P. S. But for the impression that the greater part of the expected theatre of War in Florida would be unfavorable to the subsistence and movements of cavalry, I should have asked for none but mounted men. On conversing with Colonel Lindsay and others at this place, that impression has been materially changed; and, as it will probably be more agreeable to the South Carolinians to volunteer to serve on horse-back, I will now say that, if any of the companies of the regiment first called for should present themselves at Purysburg mounted, they will be gladly accepted as part of that regiment.

WINFIELD SCOTT.

No. 24.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, February 1, 1836.

SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 30th ultimo, just brought to me by an express.

It will be quite as well for the whole force asked for in the first instance, by Brigadier General Eustis, to report to him in Charleston, as your excellency suggests, as for it to proceed by company and by different routes towards the theatre of operations, as was suggested by myself.

By the third section of the "act more effectually to provide for the national defence by establishing a uniform militia throughout the United States," the organization of the militia was fixed, and has since undergone but slight modifications. Such of these as may be material I will briefly notice. The original act was approved May 8, 1792.

By the said third section "each regiment (shall consist) of two battalions; each battalion of five companies; each company of sixty-four privates." * * * "To each company one captain, one lieutenant, one ensign, four sergeants, four corporals, one drummer, and one fife or bugler. That there shall be a regimental staff, to consist of one adjutant, one quartermaster, to rank as lieutenants, one paymaster, one surgeon, one surgeon's mate, one sergeant major, one drum major, and one fife major."

The material modification of this act is found in one entitled "An act concerning field officers of the militia," passed April 20, 1816, and in these words: "that from, (&c.) instead of one lieutenant colonel commandant to each regiment, and one major to each battalion of the militia, as is provided by the act (May 8, 1792, above quoted,) there shall be one colonel, one lieutenant colonel, and one major to each regiment of the militia consisting of two battalions."

I will, therefore, beg your excellency to cause the second regiment I have had the honor to call for from South Carolina, to be organized according to the provisions of law; and, also, the first, as far as may now be practicable, without too great a loss of time.

I understood at Washington that mounted men or mounted infantry and riflemen were, in respect to pay, considered as cavalry; but that the officers' monthly pay was regulated by that of infantry. In respect to the former, I refer your excellency to the act approved January 2, 1795, sections 1, 2, and 3.

The general staff of a brigade is fixed by the act of April 18, 1814, in these words: "To each brigade an aid-de-camp, with the rank of captain, and quartermasters of brigade, heretofore provided for by law," shall have the rank of captain. "The fundamental act of 1792 having said that there shall be "to each brigade one brigadier general, with one brigade inspector, to serve also as brigade major, with the rank of major."

Expecting to be back at this place from Milledgeville in a day or two, and to remain till perhaps the 6th or 7th instant,

I have the honor to remain, with the highest respect, your excellency's most obedient servant,

WINFIELD SCOTT.

His Excellency Governor McDUFFIE, &c.

No. 25.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, February 2, 1836.

SIR: By returns from Charleston, just received, I have to apprehend a delay in receiving from the North the full supply of knapsacks, musket accoutrements, tents, and camp-kettles, which will be required for the Florida campaign. To save time, I will beg your excellency to instruct the store-keepers of South Carolina, at Charleston or elsewhere, to let the United States have such of those articles as may be upon hand and which may be required.

Receipts shall be given for the articles, and I pledge myself to your excellency to cause the articles furnished to be replaced in kind, from the depots of the United States, without delay, and without expense to South Carolina.

Your excellency will greatly oblige me by causing a note to be written to Brigadier General Eustis, at Charleston, in reply to this request, as I may be absent from Augusta in the direction of Milledgeville for several days. A copy of this letter I shall cause to be sent to Brigadier General Eustis for his information.

I have the honor to remain, with high respect, your excellency's most obedient servant,

WINFIELD SCOTT.

His Excellency GEORGE McDUFFIE,
Governor of South Carolina.

No. 26.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, January 31, 1836.

SIR: I have the honor to transmit, with this, a duplicate communication from the Secretary of War.

In pursuance to the authority conferred upon me, I have now to call upon your excellency to place under my command two regiments of mounted men, (infantry, or infantry and riflemen,) for the period of three months, unless sooner discharged, and which force I will immediately cause to be mustered into the service of the United States.

If it be preferred, the two regiments may be considered as constituting a brigade, and the usual general staff for such a corps will at the same time be mustered into the service of the United States.

The force herein called for is destined by me to act against the Seminole Indians, in Florida; and I will beg your excellency to give the regiments one or more places of rendezvous, in the direction of (say) Picolata, where ample magazines shall be provided. The arms (rifles or muskets) and accoutrements which may be required to render the force effective, shall be supplied at the same place, or earlier, according to circumstances.

It is my purpose to be in person at Picolata as early at least as the 10th of the next month; and I need not add how important it is that the Georgia force should be there as near that time as practicable.

In respect to the Creek Indians on the borders of Georgia, and who are understood to be unquiet, if not in a state of hostility towards the United States, I propose to confer with your excellency in person, within the next two or three days.

In the mean time, I have the honor to be your excellency's most obedient servant,

WINFIELD SCOTT.

To his Excellency WM. SCHLEY,
Governor of Georgia.

No. 27.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, January 31, 1836.

SIR: I have the honor to transmit, with this, a duplicate communication from the Secretary of War.

In pursuance to the authority conferred upon me, I have now to call upon your excellency to place under my command one regiment of infantry, or infantry and riflemen, to serve on foot, for three months, (unless sooner discharged,) against the Seminole Indians in Florida.

I will beg your excellency to appoint Mobile as the rendezvous for the regiment, whither I shall send Colonel Lindsay, of the army, to muster it into the service of the United States, and to accompany it to its point of destination—Tampa bay.

Colonel Lindsay will also cause the regiment to be supplied with the arms, the accoutrements, the ammunition, subsistence, and whatever else may be necessary to its efficiency in the field.

In respect to the Creek Indians on the borders of Georgia, I will beg your excellency to confer with Colonel Lindsay, to whom I shall give such instructions as may be deemed necessary. If, after conferring with him, a force should be deemed necessary to observe and hold in check the Creeks, I have to request that you will furnish that force, and place it in the position that may be determined upon by that conference. The force shall be mustered and taken into the service of the United States.

In the mean time, I need not add how important it is, with a view to the operations against the Seminoles, that the regiment from Alabama, destined to act from Tampa bay, should be speedily raised by draught or volunteering, and embark for that place.

I have the honor to remain your excellency's most obedient servant,
WINFIELD SCOTT.

To his Excellency C. C. CLAY,
Governor of Alabama.

No. 28.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, February 1, 1836.

SIR: With this communication your excellency will receive a duplicate one from the Secretary of War.

I am here engaged in procuring forces to suppress the Seminole Indians. With a view to this, I have asked for one regiment of foot, and one of mounted men, from South Carolina; two regiments of mounted men from Georgia; and one regiment of foot from Alabama. The latter I have requested the Governor to cause to rendezvous at Mobile, whence it will proceed to Tampa bay, when Colonel Lindsay, of the army, who will accompany it, will assume the command of the regiment and the regular companies he may find in garrison there. All the other troops, regular and militia, recently ordered to Florida, or now to be raised, will proceed by the St. John's river, open a communication with Brigadier General Clinch, form a junction with him and Colonel Lindsay, and, having opened a free communication with Tampa bay, take that line as a new basis of operations, and prosecute the war with the utmost vigor.

The South Carolina regiment of foot will be on the St. John's by the 10th instant; the other regiments will arrive in that quarter later. One independent company has already sailed hence for that destination, and another will follow from this little patriotic town to-morrow. Brigadier General Eustis will accompany the South Carolina regiment of foot, and I shall follow closely.

I ought to add, that four additional companies of regulars, and one hundred and seven dragoons, recruits from New York, are probably already in movement for the same destination. In respect to the Creeks in Alabama, on the borders of Georgia, whose dispositions are doubtful, I shall take measures, in concert with the Governors of Georgia and Alabama, to hold them in check and in awe, and particularly to prevent them from sending reinforcements to the Seminoles. I go for this purpose to-morrow to Milledgeville, and shall write fully to the Governor of Alabama.

When I have added that I suppose it will be of great importance to cut the enemy off from his fastnesses to the left of the line from the St. John's river to Tampa bay, and to throw him to the right, I shall have given you an outline of my means and my views.

In respect to the militia from your Territory, already much harassed by the war, I shall be happy to take into the service of the United States any four or six hundred mounted men who can be spared from the immediate defence of their homes, and whom your excellency may find it convenient to put in the field: but I make no positive requisition to that effect, at this time. Any force actually embodied, or which you may cause to be embodied, with not more than the proportion of officers fixed by the act of 1792 for "establishing a uniform militia throughout the United States," shall be considered as being in the service of the United States for the period of three months from the time they embarked, at the request of your excellency.

I shall be thankful, and pay the necessary expenses, if your excellency can find an opportunity to communicate the substance of this letter to General Clinch, to whom, though I shall write, I may not be able to reach from this quarter.

I have the honor to remain, with great respect, your excellency's most obedient servant,

WINFIELD SCOTT.

Hon. J. H. Eaton, *Governor of Florida.*

No. 29.

HEADQUARTERS, EASTERN DEPARTMENT,

Augusta, Georgia, February 2, 1836.

SIR: You will please repair to Alabama without unnecessary delay, and cause to be in readiness at Mobile, the arms, accoutrements, ammunition, flints, and knapsacks, necessary to equip and render efficient in the field a regiment of infantry, which it is expected his excellency the Governor of Alabama will, under a requisition that I have made to that effect, cause to be raised and rendezvous at that city. In the mean time, you will correspond with the Governor on the subject of the regiment, and endeavor to hasten its arrival at Mobile by any means in your power. As soon as aware of its near approach, you will engage the means of transporting it to Tampa bay, accompanying it thither, and on your arrival assume the command of all the forces, regular and militia, assembled at that point. But, prior to the embarkation at Mobile, you will muster the regiment into the service of the United States for the period of three months, unless sooner discharged, and immediately after cause the rules and articles of war to be read at the head of the several companies.

In mustering the corps into service, you will be careful to see that there be not an excess of officers compared with the number of men, either in grade or number. In this respect you will take as your guides the act for "establishing a uniform militia throughout the United States," passed the 8th May, 1792, modified, in regard to the field officers, by the act of April 20, 1816.

To procure the arms and equipments mentioned, it may be necessary to visit the arsenal at Mount Vernon, or to send to New Orleans. In either case, you will require what may be needed in my name, and by my authority.

Should you, on your route to Mobile, learn that the Creek Indians are as hostilely disposed against the whites as has been a little time since reported, and which reports I do not now credit, you will immediately confer with the Governor of Alabama on the subject, by letter, and, if practicable, in reference to the other duties assigned you, in person, on the subject; and in the case of evident necessity, request his excellency to place a regiment or battalion of infantry in observation upon those Indians, and I will, in such case, cause the regiment or battalion to be mustered into the service of the United States.

By the 20th of this month, at the least, I hope to be in sufficient force on the St. John's river, or at Fort King, or Fort Drane, to commence a system of vigorous operations against the Seminole Indians; and by that period you, I think, may be expected to have arrived at Tampa bay. Your co-operation from that side may have a powerful influence on the result of the campaign; but I do not wish you to put any thing seriously to hazard until you shall have heard from me, or until you shall be positively certain that I have pushed the war to within one or two marches of your position. In such case, with or without special instructions, you will press forward with energy until you open a communication with the main army. It is not probable, however, that you will find yourself many days at a time without instructions from headquarters, and I desire that you will avail yourself of all means to report frequently every thing that may be interesting at or about your post.

It is unofficially reported that Lieutenant Colonel Twiggs, with a detachment of the 4th infantry, has been ordered from New Orleans to Tampa bay. If this should be true, your force may be sufficient to enable you to leave the necessary garrison, and to operate a junction with the main army at the distance of three or four marches.

Relying fully on your zeal, gallantry, and judgment, for the execution of the duties assigned to you, I remain, with great respect, your obedient servant,

WINFIELD SCOTT.

Colonel WILLIAM LINDSAY,
United States 2d Artillery, &c.

P. S. I have omitted to mention camp equipage, which you will also endeavor to procure for the Alabama regiment; and I will remind you of the great utility of furnishing every man with a haversack.

No. 30.

TALLAHASSEE, *February 3, 1836.*

DEAR SIR: To-night intelligence has reached me, and I greatly rejoice at it, that you are to take command of the Florida war. The authorities at the city of Washington greatly undervalue the power of this foe, taking into consideration the country that is to be operated in. Their numerical force cannot be less than 3,000, probably more. To conquer them, a greatly superior force should be sent, to overawe them in the first place, and by garrisons and strong depots to hold the country, as an advance upon it is made. It will be folly to move against them, except such results can be effected; and, short of 3,000 or 4,000 men, they cannot be attained. In an open field, Greek may meet Greek, and contend for the palm of victory; but amidst the gloomy covert forests, where the savages can lie concealed, that sort of glory is too insecure and doubtful.

Will you permit me to suggest—and I do it with great respect towards you, for, suffer me to say, as I hope you well know, that no one reposes in you more and greater confidence than I do—that the mode of action and operations should be an attack at different points, at one and the same time.

General Clinch is locked in by the enemy at Camp King; for the last thirty days he has had no communication with Tampa bay, distant from him about one hundred miles: the enemy occupies the ground between. Until the 20th of January, which is twenty-three days after the fell disaster of poor Dade, being in thirty-five miles of the conflict, he was without information of the butchery of his detachment. Of course you will perceive that every thing of communication is cut off between those points. It is matter of hazard for an express to approach General Clinch, either from east or west.

My suggestion to you is this: that the force you can command from Georgia, say 1,000 or 1,200 men, be hastened on to Camp King. General Clinch has only about two hundred regulars under command at this time. A few days' provisions will answer. It need not be a matter of concern with you about supplies. The Secretary of War writes that 120,000 ra-

tions are ordered from New York, and here and at Tampa will be found a supply for 3,000 men for forty or fifty days.

The Georgia troops should be advanced to Camp King. You should proceed here, and go by water from St. Mark's to Tampa. The force called out here, 500 men, are coming in; about 200 are already here. I propose sending them by water to Tampa, where there is already about 250 effectives. The Governor of Georgia speaks of having rendezvoused at Thomasville (near here) 400 men: these also should be embarked at St. Mark's for Tampa, and thus you will have a force there of 1,200 or 1,400 men. A like force under Clinch, to advance from the north, would enable you to make a junction in three days, and cut off all the Withlacoochee Indians. On the other hand, if the advance be made entirely from the direction of Camp King, the Indians will retreat before you—not meet you; and on their way may destroy the post and friendly Indians at Tampa, and our transports there. Three of our ships of war are there, but cannot approach the fort near enough to give aid.

I write in haste; and for any further particulars refer you to Colonel Hawkins.

With great respect,

JOHN H. EATON,
Governor of Florida.

Major General WINFIELD SCOTT.

No. 31.

WAR DEPARTMENT, *February 2, 1836.*

SIR: I have the honor to transmit for your information a copy of a letter this day addressed to the Governor of Georgia. If the force called out by the Governor of Georgia is, in your opinion, required, you will please receive it into service; and, if not, it will be discharged without delay.

So far as the expenditures which have been incurred for the Florida militia, received into service by General Clinch, can, from the state of the accounts, be met with reference to this Department, you are requested to direct their payment. Your acquaintance with the laws and usages of the service will enable you to judge what cases may be safely paid without this reference. The Paymaster General will give the paymasters the necessary instructions to make such payments to the militia serving under you, as you may direct. He will furnish the paymasters with such forms and detailed instructions as, I trust, will enable them to perform their duties in such a manner as will ensure the prompt settlement of the accounts.

Very respectfully, &c.,

LEWIS CASS.

Major General SCOTT,
Augusta, Georgia,

No. 32.

WAR DEPARTMENT, *February 2, 1836.*

SIR: I have had the honor to receive your letter of the 23d ultimo, and in answer, beg leave to inform you that the arrangements you have

made for calling a militia force into the service of the United States for the defence of Florida are approved by the President, and the expense will be met by the United States, so far as the same may be in conformity with the law and the usages of the service.

Agreeably to your suggestion, I have directed a warrant to be issued in your favor for the sum of \$15,000, which will be remitted to you in a draft on the Bank of Augusta, for the purpose of being applied to meet the above expenditures. I have to request that regular vouchers may be taken, in all cases, specifying the amount and object, in order to facilitate the settlement of the accounts. Be pleased, also, to cause the men to be regularly mustered into service. It is expected they will serve the term of three months after their arrival at the place of rendezvous, unless sooner discharged. It will be necessary that the provisions should be issued upon regular provision returns, signed by the commanding officer. I have to request that your excellency would communicate freely with Major General Scott, to whom the general operations have been committed, and who will make such a disposition of the forces raised as he may think proper.

Very respectfully, &c.,

LEWIS CASS.

His Excellency WILLIAM SCHLEY,
Governor of Georgia, Milledgeville.

No. 33.

WAR DEPARTMENT, *February 6, 1836.*

SIR: I have the honor to request that the course stated in my letter to you of the 29th ultimo, respecting the supplies furnished by the citizens of Charleston, may be pursued with relation to other places which have, in like manner voluntarily interposed their means for the suppression of the Seminole hostilities.

Very respectfully, &c.,

LEWIS CASS.

Major General SCOTT,
Augusta, Georgia.

No. 34.

HEADQUARTERS, EASTERN DEPARTMENT,
Augusta, Georgia, February 6, 1836.

SIR: For the information of the Secretary of War and the General-in-chief, I have to report that I returned from Milledgeville last night.

From the Governor of the State I was happy to learn that all apprehension of disturbances on the part of the Creeks on the Chattahoochie had entirely subsided. Their chiefs have solemnly pledged themselves to keep their people quiet within the nation; to deliver any property which may be taken or stolen from the whites, &c. The Governor concurred

with me in the opinion that it would hardly be necessary to station a regiment or battalion in observation upon those people ; but it was agreed upon between us that he should adopt that precautionary measure in case of any change in their attitude or dispositions.

By my visit to Milledgeville, I believe I may flatter myself that I have quickened the measures necessary to obtain, by volunteering or draughting, the force required of this State. A most excellent spirit prevails both on this and the other side of the Savannah river. Governors McDuffie and Schley are exerting themselves to the utmost to furnish their quotas of men. The former is now with me for the convenience of arranging certain details. The South Carolina regiment of foot has gone to Charleston, and probably will embark hence to-morrow or the next day. The second call for a regiment of mounted men will also be mainly supplied from the same State by volunteering. Perhaps one or two of its companies will present themselves on foot. They shall be accepted, and the whole number may be expected at the general rendezvous (Purysburg) by the 16th instant.

The call made upon Georgia will be complied with as speedily as possible. Of the twenty companies, (two regiments,) probably only a little more than one-half will be mounted. These are directed to march upon Picolata, *via* Colerain on the St. Mary's river, where I shall, as at Purysburg, have subsistence for men and horses provided. The companies on foot will proceed from Macon, by steamboats, to Picolata. Five have already taken that route.

By the term *regiment*, in my several requisitions, I had reference to the organization prescribed by the "act more effectually to provide for the national defence by establishing a uniform militia throughout the United States," approved May 8, 1792, modified, in respect to the higher officers, by the act of April 20, 1816, "concerning field officers of the militia." A regiment, therefore, consists of seven hundred and forty-four *enlisted* men, including non-commissioned staff.

If there be any act of Congress respecting the organization or pay of militia, whether cavalry, infantry, or mounted men, not in Cross's Militia Laws, I beg you will point it out to me, or rather send me a copy. Governor McDuffie thinks there is one giving two lieutenants to each company of infantry, and that the South Carolina law, which specifies two lieutenants, is founded on an act of Congress to that effect. The Georgia law is, in this respect, the same, which increases the presumption ; but Governor Schley, like Governor McDuffie, could not find the act in the code of the United States. Out of respect to those States, I suppose it to be my duty to accept of the two lieutenants per company of infantry, and the act of 1792 expressly gives two to each company of cavalry. In fact, four officers per company of sixty-four privates are necessary to its efficiency in the field.

I have caused upwards of one hundred horses to be purchased in this neighborhood, and in two days more the number will be completed to one hundred and fifty. They are designed as mounts for the dragoon recruits and for the baggage-train. The larger portion will be sent off to Savannah the day after to-morrow, and the remainder are to follow closely. The average cost of these horses will be something less, I think, than one hundred and twenty dollars, including a commission to the agent employ-

ed, of five per centum. They are equal to the service for which they are intended, and are thought to be cheaply purchased at that rate.

I have also ordered the purchase of twenty two-horse wagons, in addition to an equal number purchased by the direction of Brigadier General Eustis below, which will be sent hence to Savannah. Even these and fifty pack-horses will scarcely suffice for the baggage and subsistence train of the army to be assembled in Florida.

My duties on the route of Columbia and Milledgeville have thrown me out of the line of intelligence from the seat of war. To-morrow I shall set out for Savannah, where I may be detained for some days in calculating and arranging the supplies which will be wanted in Florida, and for the troops on their route thither.

[From a letter addressed by Colonel Bomford to the store-keeper in Charleston, I learn that five hundred rifles have been at length ordered to that place; but no advice of the shipment had been received. Five hundred *ordered* instead of the two thousand five hundred *sent*! It will be impossible for me to make war without arms, and I think the troops who are to serve in Florida entitled to the most effective. I trust that a former letter, in respect to these rifles, will have been promptly attended to.]

Brigadier General Eustis will precede me by a few days in arriving in Florida. He will be instructed to occupy himself in organizing the troops as they shall reach the St. John's, the means of transportation, &c. Lieutenant Colonel Bankhead I shall detain to muster into service the mounted regiment of South Carolinians who are to rendezvous at Puryburg, near Savannah.

I have had the honor to receive, this evening, two letters from the Secretary of War, both dated the 29th ultimo. His instructions shall be attended to.

The force that first sailed from Charleston for St. Augustine, volunteered for the immediate defence of the latter place, and only for one month. I shall soon cause it to be honorably discharged; for, the moment we are in force on the St. John's, and take up the expected line of operations, St. Augustine will become an interior position. That line of operations will probably be first from Picolata to Tampa bay, in order to open communications with Forts King and Drane, and with Colonel Lindsay. My object will be to cut the enemy off from the country to the left of that line, and to force him to the right. If I succeed, the theatre of operations, though favorable to him, will be much less bad for us than the southern part of the peninsula. No definitive plan of operations, however, will be laid down till I shall have arrived upon the St. John's, and have obtained the best information which can be had.

I am more and more persuaded that I have not called for too large a force. By the 25th instant I may, perhaps, have in Florida, in all, four thousand men; and by March, five hundred more. It is not probable that I shall delay offensive movements quite so long. Whatever may wisely be attempted with smaller numbers, shall not be neglected.

I remain, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General R. Jones,
Adjutant General, U. S. A.

No. 35.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 9, 1836.

SIR: I arrived here this evening, and wrote in haste by the steamer John Stony, just from St. Augustine, bound to Charleston, to take the chance of this letter finding you at the latter place.

It is presumed that the South Carolina regiment of foot has, by this time, embarked for Florida, and I am anxious that you should be there (at St. Augustine or Picolata) as soon as practicable. If I were to send Lieutenant Colonel Bankhead, he would find himself commanded by one or two full colonels, and perhaps by a brigadier general, (from Georgia,) in less than five days after his arrival.

The objects to be accomplished by your early presence in Florida are many: First, your rank, experience, and talents, will enable you to organize the service in that quarter generally; Secondly, to cause to be mustered into service the militia companies which are there, and those which may be daily expected to arrive; to open communications with Brigadier General Clinch and Fort King; and, in general, to do whatever the good of the service or particular emergencies may require. For these purposes you will assume the general command of the left wing of *the army of Florida*, and establish your headquarters, for the time, either at Picolata or St. Augustine, visiting the other place. I shall follow you in a few days; that is, as soon as the greater part of the militia called for from South Carolina and Georgia shall have reached Florida, and I shall have made the necessary arrangements (from this place) for the entire force destined for the war in that quarter.

Five companies of foot embarked on the 4th instant, on board a steamer at Macon for Picolata, and three companies of mounted men were to have marched from the neighborhood of Milledgeville, on the 7th or 8th, for the same destination, via Colerain, on the St. Mary's river. Other companies of Georgia militia will proceed from day to day by the same routes: those on foot by the Ockmulgee, and the mounted men by Colerain from the interior of the State; and in a few days the mounted regiment of South Carolinians will begin to arrive at Purysburg on the Savannah, to march thence, by Colerain, to the same general destination, Picolata.

I shall probably cause the companies of this regiment, as they successively present themselves, to be mustered into the service at Purysburg; but all that shall reach Florida, without having been so mustered, will there, by your orders, be formally taken into service.

In compliment to the State laws of South Carolina and Georgia, I wish that every company of militia, whether mounted or on foot, of sixty-four privates and upwards, may be accepted, with one captain, two lieutenants, (one first and one second,) and one ensign or cornet. If the excess of privates per company be very great, I have no objections that even another lieutenant per company should be accepted. For the field officers and the staff of a regiment, see the acts heretofore referred to. The companies being below the standard of sixty-four privates each, I wish to be accepted with some liberality in respect to subalterns.

I am as anxious to see you in person as I am desirous that you should be early in Florida. If you can call here without much delay, do so; if

not, proceed at once to your destination. My wish is to converse with you as to the impending campaign in general, and also to learn the precise quantity of forage ordered to Florida, and the number of rations. But I have time to say no more, except that I shall send forage and rations to Colerain for the mounted Georgians, who are to take that route; and the same to Purysburg, for the second regiment of South Carolinians. Unfortunately, the quartermaster here is sick in bed.

Twenty two-horse wagons, with harness, I have ordered to be purchased at Augusta. They will pass here in a few days for Florida. I have also caused to be purchased 120 dragoon horses, and about thirty for the baggage-train. How many of each have you sent to Florida?

If the cavalry recruits from New York should not touch here, their horses must be sent to Picolata.

With great respect, I remain yours, truly,

WINFIELD SCOTT.

Brig. Gen. EUSTIS, &c.

No. 36.

ADJUTANT GENERAL'S OFFICE,

Washington, February 10, 1836.

SIR: Your letter of the 31st of January, from Augusta, communicating the preliminary measures you have taken in reference to the amount of militia force which you have called for, and the proposed military operations in Florida, has been duly received, and submitted to the Secretary of War and the General-in-chief.

Those subjects of your letter which refer to the several departments of the staff have been communicated to those departments respectively, with reiterated instructions to furnish all supplies necessary for your operations in Florida. It may be proper to remark, however, that, as the law makes no provision for the issue of knapsacks for the militia, these articles cannot be supplied: this subject has this day been referred by the Secretary of War to the military committee, with a request that a law be passed authorizing the issue of knapsacks to the militia.

Since writing the above, I have received your communication of the 2d of February, which has also been submitted to the Secretary of War and the General-in-chief. Orders have been given to the several departments of the staff to furnish as promptly as possible the supplies required by your several communications.

Your suggestion that the 4th infantry should be ordered to the theatre of operations has been anticipated in part by Major General Gaines, who has ordered the companies from Baton Rouge to Florida.

The copies of your letters to the Governors of South Carolina, Georgia, Alabama, and Florida, also to Colonel Lindsay, mentioned in your communication of the 2d instant, forwarded by Lieutenant Johnson, have also been received.

A letter from Captain Belton, the commanding officer at Fort Brooke, received the 8th instant, reports that he has taken into service about ninety of the friendly warriors, located in his immediate vicinity, with a view

to co-operate against the hostile Indians. The Government is by no means disposed to employ the Indians in this affair; but as matters may have proceeded too far, as to be beyond its control, it is now left entirely to your discretion.

I am, sir, with great respect, your obedient servant,

R. JONES, *Adjutant General.*

Major General Scott,

Commanding in Florida, Savannah, Georgia.

No. 37.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 11, 1836.

SIR : I have had the honor to receive your excellency's communication of the 3d instant, by the hands of your aid-de-camp, Colonel Hawkins, whom I have placed in possession of my means and plans for the prosecution of the war against the Seminole Indians. The details he will communicate to you.

I am very thankful for the complimentary expressions contained in your letter, and still more for the valuable information and suggestions it contains. The former I shall endeavor, to the utmost, to deserve, by a prompt termination of the war that has so greatly afflicted a large portion of your territory.

I have but little to add to my letter to your excellency of the 1st inst. The militia forces called for from South Carolina and Georgia are already in movement by land or by water; and I hope the regiment of Alabamians will soon be at Mobile, so as to arrive at Tampa bay by the 25th instant at the latest.

With the exception of about 450 Georgians, all the forces destined to act from the St. John's river may be expected to arrive by the same date, and I shall be there about the 18th. Brigadier General Eustis will precede me, and I shall commence operations promptly.

I have preferred to cause the greater part of the reinforcements to assemble at Picolata and St. Augustine, as these places are more accessible from Fort King, and because the magazines will be on the St. John's. Besides, I still entertain the hope of finding the great body of the enemy above the line from St. Augustine to Tampa bay, and of driving them towards Middle Florida and Georgia. If I succeed in doing so, the theatre of operations will be much narrowed, and, although the surface of the country will be favorable to the enemy, it will be much less bad for us there than that below.

In respect to the Florida militia which your excellency may have, or shall find it necessary to put into the field, defensive positions are suggested; and if I should be able to push the war to their vicinity, the Florida militia would then have an opportunity of assuming the offensive, and of striking to great advantage. All this, however, I will beg leave to refer to your own discretion, and better knowledge of the necessity of the case. Whatever may be required on my part, in respect to the acceptance and payment of the force detached by you, under the limitations heretofore stated, shall be readily done.

I hope that my letter of the 1st instant was received in time to render it unnecessary, in your excellency's judgment, to send any part of the militia of Florida to Tampa bay. Even without a reinforcement from New Orleans, (of which I know nothing, except by rumor,) Colonel Lindsay will by the 25th instant be in sufficient force at that point.

Hoping to interchange frequent communications with your excellency, I have the honor to remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

To His Excellency J. H. EATON,
Governor of Florida.

No. 38.

HEADQUARTERS, EASTERN DEPARTMENT,
Savannah, February 16, 1836.

SIR: I arrived here this day week, and have been most fully occupied in regulating the supplies and the movements of the troops destined for Florida. Hence I have not had a moment to look into the subjects referred to me in the letters of the Secretary of War dated the 29th ultimo and the 6th instant; and apprehend that if I were to undertake to go *thoroughly* into those matters, I should be nothing but an auditor of accounts for the rest of the campaign.

My information from Florida represents a virtual truce between the small force under Brigadier General Clinch and the enemy. The former is too weak to act offensively; and the latter, like all other Indians, never attack fieldworks, though of the slightest construction. Indeed, of the positions and movements of the enemy, there is nothing recent or specific. The route from Picolata to Forts Drane and King seems to be open for even the smallest detachments.

Brigadier General Eustis passed here two days ago, with Captain Van Ness's company United States artillery, on board a steamer bound to St. Augustine. I approve of his detention at Charleston, where he made himself highly useful in preparing the means for the campaign, and in mustering into service the regiment of South Carolina foot. This regiment, or nine of its companies, embarked a day or two before him, and the tenth company has followed. Of the other regiment from that State, which will be mounted, (except one company, and that passed here yesterday in a steamer,) I only know that it was expected to begin to arrive yesterday on the Savannah river. Learning that Puryzburg was not so favorable a point for crossing as Hudson's ferry, twenty-two miles above, I despatched an order, by an express, some days ago, to change the direction of the regiment accordingly. Captain Page is gone up in a small steamer belonging to the Engineer department, with arms and subsistence for this regiment, and to assist in passing it across the river. He has my instructions to muster it into service. See accompanying paper A.

Of the two mounted regiments asked for from Georgia, probably not more than twelve companies will present themselves on horseback. Five of the latter are now presumed to be at Colerain, on the St. Mary's river, or beyond; and five, on foot, arrived a few days since from Macon, at Da-

rien. Steamers, with subsistence, have been despatched to take the foot to Picolata, and Lieutenant Colonel Bankhead is gone to muster the battalion into service. A steamer had been previously despatched with subsistence for men and horses to Colerain or Trader's Hill (within five miles of each other) and to Jacksonville. All the mounted men from South Carolina and Georgia will pass by those places. The market of this vicinity could not supply the required quantity of grain for that steamer, and I have been obliged to substitute rice-meal for Hudson's ferry, on this river. If the Arctic, supposed to be yet fast in the ice of the Chesapeake, had arrived, we should have had corn for Colerain, Jacksonville, (on the St. John's,) and Hudson's ferry. I deem it quite unfortunate that some reference to the thermometer had not been made before the shipment of troops and supplies, in the dead of winter, from Baltimore. Every body and thing on board the Arctic I consider as thrown out of the campaign; and I fear the same conclusion would be just if applied to the tents, knapsacks, and rifles expected from the clothing and ordnance bureaus.

In respect to subsistence for men and horses, to be placed on the St. John's and at Tampa bay, I beg leave to refer to instructions given by me, copies of which (B and C) are herewith enclosed. [The papers A, B, and C, by mistake, have preceded this letter.]

Colonel Hawkins, the aid-de-camp of Governor Eaton, arrived here a few days since, bringing despatches, and he has set out on his return with my answer. I had anticipated his inquiries, generally, by my letter to his excellency, dated the 1st instant, (a copy of which has been forwarded;) and I have said to him, more in detail, that it will be preferable to place any force he may have in the field, or find it necessary to call out, (not exceeding 400 or 600 men,) in *defensive* positions for the protection of the settlements of Middle Florida, as it was still my hope to cut off the hostile Indians from the southeast, and drive them towards those settlements. I added that, if I could succeed in that wish, the Florida militia might, as approached, pass from the defensive to the offensive; but I have not *required* the levy of a single company in Florida.

I learn by newspapers that from 600 to 1,000 men, mostly volunteers, have sailed from New Orleans for Florida—I think Tampa bay. I have not called for a single man, of the regulars or militia, from Louisiana. Perhaps the reported force volunteered for the temporary protection of Tampa bay, as certain companies sailed hence and from Charleston for the specific defence of Picolata and St. Augustine, some weeks ago. Hence I could not rely on the troops from Louisiana for the general purposes of the campaign, and therefore did nothing to arrest the detaching and the march of troops from this quarter. But if Tampa bay has been reinforced from Louisiana, and to the extent reported, Colonel Lindsay will be in a condition, on arriving with the Alabama regiment, to act offensively in any direction, and independent of support.

His excellency Governor Eaton estimates the enemy's armed force, (including blacks, I presume,) at 3,000; against which I may have, by the end of this month, something less than 5,000 men in the field—say 1,400 mounted and about 3,200 on foot; and not a word has been heard of or from the United States dragoon recruits since I left Washington. The mounts for them, however, have arrived from Augusta, together with about thirty horses applicable to the baggage-train. Instructions have

been repeated to send those recruits to this place for their horses, should they touch at Charleston.

Nothing has yet been heard from the Governor of Alabama or from Colonel Lindsay, in respect to the regiment asked for from that State; but I do not doubt that the utmost activity and zeal will be displayed by both, in complying with the wishes I have expressed to them, respectively. I cannot too highly applaud the spirit that has been manifested in South Carolina and Georgia. Governors McDuffie and Schley have lent themselves powerfully to the occasion. The former has made extensive circuits to inspire, to detach, and to organize; and both have thrown open the arsenals and magazines of their States to supply, as far as they could, our wants; but, unfortunately, we shall still be greatly deficient in tents, knapsacks, and rifles, unless supplied from the North. I shall direct returns to be sent to Washington of such articles as we have been obliged to borrow, and hope, for the honor of the United States, as well as to redeem my personal pledge, that each and every one will be promptly replaced in kind. The lower parts of Georgia and South Carolina should not long be left disfurnished of the means of putting effective detachments of militia in the field. A like consideration has induced me to leave the feeble company of United States artillery at the Augusta arsenal, behind. That city has sent into Florida two fine companies of volunteers, and I do not think the United States have the moral right to place the implements and munitions of war in the midst of such a population, without placing at the depot a competent guard. That company is, moreover, still engaged in fixing ammunition for the Florida army.

With my approbation, Brigadier General Eustis accepted the services of a company of Charleston volunteers, to occupy Fort Moultrie, in the absence of its regular garrison. This arrangement rendered Captain Van Ness's company disposable for the field.

Brigadier General Eustis has been instructed to send the revenue cutter Jefferson to coast Florida as far as Key West, for information, &c. On the return of the cutter, I shall act on the suggestion of the Secretary of War, and send, if necessary, a company to reoccupy the evacuated post.

Hoping by to-morrow, or at the latest the day after, to have done every thing here in my power for the good of the campaign, I shall set out for Florida, and occupy myself equally at St. Augustine and Picolata—places only about seventeen miles apart. The post office, I understand, is at the former.

Captain Page has been ordered to proceed, after a few days, to the Creek nation, stopping on the way to muster into service a battalion that the Governor of Georgia, by arrangement with me, has thought it prudent to place in observation upon that people. Should the Governor of Alabama have deemed it necessary to adopt a similar measure, Captain Page is also instructed to muster the force put in observation from that State.

I shall arrive in Florida, in advance of rather more than half the forces called for from South Carolina and Georgia, and probably before the Alabama regiment has reached its destination. All that may profitably be attempted before the arrival of the rearmost companies from the two former States shall be put in practice; but it is not my expectation to risk any detachment of less than say 700 or 1,000 men, beyond supporting distance of a like body. At Picolata, I hope to find a full report from Brigadier General Clinch in answer to all my inquiries; and, finally, I

may flatter myself that, towards the end of this month, I shall be in condition to commence decisive operations.

With great respect, I remain, sir, your obedient servant,

WINFIELD SCOTT.

Brigadier General R. JONES,

Adjutant General U. S. A.

P. S.—Brigadier General Eustis is fully instructed to do in Florida, before my arrival, all that I could myself execute if there in person.

Lieutenant Chambers arrived here the night before the last. Have all the other lieutenants who were, on the 21st ultimo, ordered to join the companies in Florida, or expected to be there, got *excused* from the dangers and hardships of the campaign? I hear nothing of any of them.

February 17. The steamer in which I am to go to Florida, and which was expected last night, has not arrived. The head of the mounted South Carolina regiment has reached this river above. The rear is expected to follow in six or seven days. I have *heard* of the movement of but ten companies of Georgians, besides the two from Augusta already in Florida.

W. S.

No. 39.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 14, 1836.

SIR: I expect to want at Tampa bay, between the first of March and the middle of May, for the army to be employed under my command against the hostile Seminole Indians, independent of the wants on account of such of those Indians as may be forced to emigrate, subsistence as follows:

For *men*, two hundred and fifty thousand *complete* rations; and for *horses*, one hundred and twenty thousand rations of corn and oats, and forty thousand rations of hay or fodder.

From each of these supplies, you will please deduct what you may estimate to be at Tampa bay on the first of the next month, or on its way thither. The remainder you will immediately begin to purchase and ship to that place, say a third (except the long forage) early in March; another third by the first of April; and the other third by the first of May. The long forage, in the whole, must be at Tampa bay by the first of April, and begin to arrive by the 10th of March.

To enable you to judge with accuracy the quantity of each kind of subsistence to be sent, you will call for a return from the proper officers at Tampa bay, by the first conveyance that may go to that place and return to New Orleans. This you may do in my name.

As it is feared that the army will be deficient in tents and knapsacks, you will please send any that may be on hand at New Orleans to Tampa bay—say a number of each sufficient for one thousand men.

I am also ignorant of the number of rounds of fixed musket and rifle cartridges which I may find at the same general depot.

If there should be at New Orleans a supply of either on hand, send to

the number of eighty thousand musket cartridges and twenty-five thousand for rifles, with the first subsistence you may ship; and, in lieu of cartridges, an equivalent in powder, lead, paper, and twine. Send, at the same time, say two hundred rounds of fixed canister for twenty four-pound howitzers, and twice that number of rounds for six-pounders. You may make a partial deduction from each kind of ammunition, according to your knowledge of the quantity supposed to be already at Tampa bay.

In respect to the rations for *men*, the bread part must, to the extent of seven-eighths of the whole number, be in the form called *hard*. The utmost exertions must be made to have the necessary quantity baked, if the market should not be able to supply it at once. The meat part of the rations, to the extent of three-fifths of the whole, must consist of well-cured sides of bacon, and the remainder of pork, as it is not expected that many cattle can be purchased in the southern part of Florida.

If there be not tents on hand near you, you will cause the number asked for to be immediately made and shipped.

Show to the commissary of subsistence at New Orleans this letter, on whom it will be as obligatory, in all that concerns his department, as if it were directly addressed to him.

Relying on the zeal and promptitude of you both, I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

The U. S. ASSISTANT QUARTERMASTER, *New Orleans*.

P. S.—Since writing the above, I have heard it said, on some uncertain rumor, that 600 or 700 volunteers had sailed from New Orleans for Tampa bay. This force was not included in the foregoing estimates and requisitions, which were forwarded on the supposition that I should have in the field—say 900 regulars, 1,480 men (half mounted) from South Carolina, 1,480 (part mounted) from Georgia, and 740 (foot) from Alabama.

WINFIELD SCOTT.

No. 40.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 12, 1836.

SIR: I shall want at Picolata sufficient grain to feed (say about) 1,700 horses for seventy days, and hay for the same number of horses about one-third of that time.

About 4,800 bushels of corn and no pounds of hay have been ordered to Picolata from Baltimore, and you are no doubt acquainted with the quantity sent from Charleston.

To complete the supply of each kind of forage specified above as likely to be wanted on the St. John's river, you will immediately take measures to purchase and to ship thither what may be required. It is not important that all the forage yet to be purchased should arrive at once, as a portion of it will not be wanted in six or eight weeks. You may accordingly regulate yourself in the purchase and shipment, bearing in mind that there are but small means of storage at Picolata.

As Brigadier General Eustis is expected to leave Charleston to-day, I address myself directly to you.

With respect, yours, truly,

WINFIELD SCOTT.

To Lieutenant J. L'ENGLE,

*Assistant Quartermaster U. S. A.,
Charleston, South Carolina.*

No. 41.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 12, 1836.

SIR: By a letter from the Secretary of War, you will have been advised of my approach, for the purpose of taking upon myself the general direction of the war in Florida. No mortification ought to be felt by you, because the command has been given to me. I am your senior, and it was known that I was your friend. With very limited, and, as experience has shown, inadequate means, you have maintained your positions in the enemy's country, and you have fought a battle with honor to yourself and the handful of brave men who were under you. I shall have an overwhelming force, with ample magazines, and means of transportation, together with all the benefits of your better local knowledge and personal services. I have come to this place by the upper route, *via* Columbia and Milledgeville, for the purpose of making arrangements, in person, to facilitate and hasten the movements of detachments of militia, called for from South Carolina and Georgia; two regiments, or 1,480 men from each, and one regiment, or 740 men, in addition, from Alabama. I have despatched Colonel Lindsay to hasten the embarkation of the latter from Mobile, and to accompany this regiment to Tampa bay, where he will assume the command on his arrival (say from the 20th to the 25th instant) of all the forces he may find there, and operate thence towards the main army, which will move from Picolata and St. Augustine.

The remainder of the reinforcements ordered to Florida will be assembled at Picolata and St. Augustine. Brigadier General Eustis precedes me by a few days, to organize and place in position the troops which first arrive, and to open a communication with you and Camp King (at least by letter;) and I am happy to learn, unofficially, that you are in security, and have kept open the communication with Picolata *via* Fort King.

I am unable, as yet, from the want of recent information from the theatre of war, and better topographical knowledge of that theatre, to lay down any definite plan of operations. I shall rely much on communications to be received from you on all points necessary to the formation of such plan; but my present idea is, that it may be best to move upon the road from St. Augustine to Tampa bay, until joined by Colonel Lindsay, from the latter place, and, if possible, to cut off the greater number of the Indians from the fastnesses below that line. By confining the enemy above, the theatre will be much narrowed; and although the country will be favorable to him, it will be much less bad for us than the southern part of the peninsula. What hope is there, say with 3,000 men, of ac-

completing this leading object? In the mean time, I can make any movement that may facilitate your junction with me at some favorable point; or, the positions of Forts Drane and King, being succored, or considered as secure, you may remain at the former, till the main army shall reach, in driving the enemy, your immediate vicinity. Let me have, as promptly as possible, and freely and fully, your views on these, and on all other points that may be interesting to the service.

Brigadier General Eustis, with a regiment of foot from South Carolina, will probably be on the St. John's, or at St. Augustine, about the 15th instant. Three companies of United States artillery, and about 100 dragoon recruits, all from the north of the Potomac, will be there soon after; and two companies of United States artillery, from North Carolina, have already reached the same destination. Some wagons and horses are also gone, and others are to follow. From Georgia, a part of the forces on foot, (say five companies,) left Macon by steam on the 7th instant; and the remainder of the militia of the same State, mostly mounted, are no doubt now in route. Finally, the regiment of mounted South Carolinians may be expected to pass this place in the next seven or eight days. I therefore hope to be in force at Picolata and St. Augustine by the 25th instant, and personally present before the 20th.

I have this instant learned that I may not expect to have in Florida more than 960 of the Georgia militia before the end of this month. I however shall not wait for the remainder, but commence operations probably about the 25th instant, if I shall hear from you by that time.

I have provided about forty two-horse wagons, and shall have (say) about one hundred pack-saddles. Shall I be able to operate with the former, or are the two means of transportation in due proportion to each other? My knowledge of the interior of Florida is yet but very imperfect. Please send me one or more good guides, if you have them, and any good interpreter who may be with you. If those persons join me after I shall have advanced into the interior, it may be sufficient.

Please give me the best intelligence you can as to the distribution of the enemy over the face of the country; his numbers, including blacks, and the proportions of foot and mounted. Where are the women and children probably concealed?

I shall wish to organize a corps of *scouts* or *spies*. Will Colonel Warren (who has been with you) make a good commander of such corps, or can you recommend one? What other individuals can you point out as serviceable members of such corps?

What is your strength in regulars, volunteers, and friendly Indians? what your means of subsistence for men and horses? and what means of transportation have you in wagons, horses, mules, and pack-saddles?

If you, from your better knowledge of the interior of Florida, and the probable distribution of the enemy, think it best that I should, with the whole or part of the new forces, operate on the direction of Forts King and Drane, please give me your reasons.

With entire confidence in your abilities, and the highest personal regard,

I remain, general, yours, truly,

WINFIELD SCOTT.

To Brigadier General CLINCH,
Fort Drane, East Florida.

No. 42.

ASSISTANT QUARTERMASTER'S OFFICE,
New Orleans, February 26, 1836.

GENERAL: I have the honor to acknowledge the receipt of your communication of the 14th instant, from Savannah. Immediately on its receipt I called upon the assistant commissary of subsistence, and put him in motion. I find there is not a barrel of hard bread to be obtained in the city, without having it baked for the occasion. Lieut. Morrison is exerting himself to get it ready as soon as possible. I fear he will not be able to procure the quantity required in time. Whatever can be done, will be done. He will be ready to make a shipment of subsistence on the first of March. I am this day shipping hay and corn, which I trust will reach Tampa before the 10th of March. I shall continue to ship, as directed by you; and you may depend the forage shall be there in due time, barring shipwrecks. In regard to the ordnance stores, there is none in this city. On the receipt of your letter, I immediately addressed the ordnance officer at Mount Vernon arsenal, Alabama, and the ordnance officer at the arsenal at Baton Rouge, requiring them to let me know immediately whether the articles required can be furnished; if so, they shall be shipped immediately. Rest assured, sir, that no exertions shall be wanting on my part, or the assistant commissary of subsistence, to have you well supplied. I find, sir, that I have but one hundred and thirty-eight tents on hand; these I have shipped this day. I have been advised that a quantity has been ordered from Philadelphia, and I think I can rely upon their reaching here in time for them to reach Tampa bay by the middle of March. I have issued every knapsack on hand, and have now making in this city 696, to complete the requisition of Colonel Lindsay for the regiment of Alabama militia. I have also furnished him with tents and camp-kettles, mess-pans, &c., to complete that regiment for the field.

I will assure you, sir, it would give me pleasure to take the field with you. I am intimately acquainted with every part of Florida, the localities of all the Indian towns and villages.

I have the honor to be, sir, with high respect, your obedient servant,
J. CLARK,
Assistant Quartermaster.

Major Gen. W. Scott,
Commanding in Florida.

No. 43.

HEADQUARTERS, EASTERN DEPARTMENT,
Savannah, February 19, 1836.

SIR: I am instructed by Major General Scott to acknowledge the receipt, on the 13th instant, of the letter of the Secretary of War of the 5th, transmitting three copies of the regulations prescribed for carrying into effect the resolutions of Congress of the 1st February, respecting issues to certain inhabitants of Florida. In connexion with the subject of that resolution, General Scott desires a reference to his letter to the Commissary

General of the 12th instant. Two letters from the Secretary of War of the 11th, and one of the 12th—one of the former requiring information as to the numerical force of the Seminoles, and the others referring to payments of the militia—have also been received. These were received on the 18th and 19th instant.

I am also instructed to acknowledge your letters of the 2d and 10th instant.

I have the honor to be, sir, yours, respectfully,

A. VAN BUREN.

Brig. Gen. R. JONES,

Adjutant General, Washington.

No. 44.

HEADQUARTERS, EASTERN DEPARTMENT,

Savannah, February 20, 1836.

SIR: The detachment of United States recruits under Lieutenant Her-ring, and the medicines, &c., in the charge of Assistant Surgeon Worrel, having arrived in the river below, the recruits will immediately proceed with me to Picolata. The medicines, &c., cannot be got out of the vessel to-day, but will follow.

I have been delayed here waiting for the return of one of three steamers, which sailed hence eight and seven days since for St. Augustine and Picolata. Neither has yet returned, and I can wait no longer. For the reason mentioned, I am without late information from either Brigadier Generals Clinch or Eustis.

I have this moment received your letter of the 13th instant, enclosing the copy of one from Major Garland. I *requested* tents of the major, having no power to *order*, and concluded that he would obtain the proper authority for causing the tents to be sent by the conveyances and routes *the most expeditious*. It was lucky, however, that I wrote on the subject from Augusta.

On the subject of *knapsacks*, my grief is inexpressible that the discovery should have been made, at a critical moment, that there was no authority to supply them to the militia called into the service of the United States. I suppose it to be the wish that all troops put into the field and in the pay of the Union should be highly efficient. Now, it is known to all, who have marched, that troops are wholly inefficient without knapsacks; and I presume it to be generally known that the militia of the United States, at home, are very partially supplied with this essential appendage. Those now in march for, or who have arrived in, Florida, have not, from the necessity of the case, with few exceptions, had time to supply themselves. They have very generally left home on the shortest notice, and in passing through South Carolina and Georgia, I promised to the volunteers, everywhere, tents and knapsacks. This promise I shall not be able to comply with, and my grief is almost overwhelming. In respect to the rifles, it is but little less; for they too were promised to some extent.

Colonel Lindsay had asked for 3,500 knapsacks. In my first or second letter from Augusta, (my papers are on board, and I follow in a moment,)

I begged that the whole number might be speedily sent, if not actually shipped. If they had arrived (or arrive) the militia should (or shall) have them.

I have time only to add that no invoice has been received of tents or rifles actually shipped, and that the Arctic has not arrived.

In great haste, I remain, respectfully, yours,

WINFIELD SCOTT.

Brig. Gen. JONES,

Adjutant General United States Army.

No. 45.

ADJUTANT GENERAL'S OFFICE,

Washington, March 2, 1836.

SIR: Your communication from Savannah of the 20th ultimo has been submitted to the Secretary of War and General-in-chief. With regard to knapsacks, the Secretary desires me to say that a bill is now on its passage through Congress authorizing their supply; and, the more promptly to meet the exigency of the service, instructions have been given to the proper department, in anticipation of the passage of the law, to send to Florida the knapsacks in store, for the use of the militia force under your command. If the law does not pass, (of which, however, no doubt is entertained,) the Secretary directs that, in such event, the knapsacks must be withheld.

With regard to the supply of rifles, I can only refer you to Colonel Bomford's communication of the 11th of February, detailing the measures taken by the Ordnance department for supplying arms (including rifles) and ammunition for the Florida campaign.

I am, sir, with great respect, your obedient servant,

R. JONES, *Adjt. Gen.*

Maj. Gen. Scott, *Com'g in Florida, Fort King.*

No. 46.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 22, 1836.

SIR: I am instructed by Major General Scott to report his arrival at this place last evening, and that he has assumed command of the army operating in Florida. He has found here the first battalion of Georgia foot, in position. The 1st battalion of Georgia mounted men is on this side of the St. Mary's, and it is presumed the 2d mounted battalion is now in march from the interior of Georgia. The head company of the South Carolina mounted regiment has reached the Ogechee, and the regiment of foot from that State, under Colonel Brisbane, is at St. Augustine. It is probable that General Scott will await the arrival of at least a portion of the mounted force, before he commences a system of operations.

A despatch from General Clinch has been found here, dated the 20th

instant, and a return of the troops under his command at Fort Drane and its vicinity, dated the 17th instant. His force consisted of 523 men, including volunteers. He states that of the enemy to be about 1,500 warriors and 200 or 300 negroes; and believes the principal part of it to be concentrated on the Withlacoochee, thirty-five or forty miles southwest of Fort Drane. Brigadier General Clinch also states that, on the arrival of Colonel Lindsay at Fort Brooke with the Alabama regiment, Major General Gaines will have near 2,200 men, and about 100 friendly Indians.

I have the honor to be, very respectfully, sir, your most obedient,

A. VAN BUREN, *Aid-de-camp.*

Brig. Gen. R. JONES, *Adjt. Gen. U. S. Army.*

No. 47.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 26, 1836.

SIR: The regiment of South Carolina foot (Colonel Brisbane's) is under the direction of Brigadier General Eustis, moving from St. Augustine, *via* Tomoca, upon Volusia, (six miles above lake George,) where it will arrive (say) the 3d of March. In route it will establish one or more small posts, which will be abandoned in succession, to secure the communication with the rear, and to give confidence to the inhabitants heretofore driven from that part of the country. They are already returning to their plantations.

A detachment of South Carolina infantry is at this moment about to embark in a steamer for Volusia, for the purpose of establishing a secure depot for supplies, that may be required there, to the south and west.

The South Carolina mounted regiment will probably cross the St. John's river at Jacksonville about the 1st of March, and proceed, *via* St. Augustine, &c. to Volusia, where it may be expected to arrive about the 7th. The two South Carolina regiments, and (say) five companies United States artillery, will constitute the left wing.

Only one company (Captain Kenan's) of the Georgia mounted men has arrived here. It reports that it parted with the other four companies of the same battalion at Dublin, in the interior of Georgia; waited for them three days at Colerain, on the St. Mary's, where the whole were to reunite, and then proceeded hither without hearing any thing of them. There was no field officer with this battalion, and the companies took different routes from Dublin, in order to multiply the chances of obtaining subsistence for men and horses. To Colerain, from Savannah, I sent two days' subsistence for all the men and horses—that is, all the *mounted men* from Georgia and Carolina, and the United States detachment of dragoons—as the whole were ordered to cross the St. Mary's at that point.

Captain Kenan is somewhat afraid that the remainder of his battalion, or some of its companies, may even turn back before reaching Colerain, or from that point; and he is still more apprehensive that I may never see any company of the second battalion of mounted men called for from the same State. Yet Governor Schley wrote to me on the 14th instant that he had “a strong hope that [he] shall be able to send [me] five more companies of mounted men, who will march to Colerain in a few days.”

One battalion of Georgia foot (340 strong) arrived here ten days since. It is now in route for Fort Drane, distance 65 miles, and a bad road. I have instructed the commander (Major Cooper) to repair some of the worst places as he proceeds; because, by this route, all the supplies for Fort Drane must be sent.

The remaining battalion of Georgia foot, which I originally designed should pass this place, and which I afterwards, on the request of Governor Schley, permitted him to send by the Appalachicola, I desired him, by an express that I despatched hence on the 23d, via Jacksonville, to stop and discharge. This request was made as soon as I knew with certainty that a large force had sailed from New Orleans for Tampa bay.

Observing, by returns from Brigadier General Clinch, that his supplies were but limited, and desirous of placing at Fort Drane subsistence for the right wing for at least twenty days, in order to give confidence and effect to any movement to be made from that point, I have been occupied in devising means to send thither additional supplies, to the amount of seventy tons. To enable me to do this, I have been waiting for the wagons, horses, and pack-saddles, provided at Augusta and Savannah. Some of these wagons have arrived, but, as yet, no horses. The remainder of that baggage train cannot be expected here, from Savannah, in less than ten days. In the mean time Brigadier General Eustis has been able, after providing for the South Carolina foot, to send a few wagons and teams for the Georgia battalion of foot, and for about two and a half tons more. I had also written to Brigadier General Clinch to send down all his spare teams to aid in taking the remainder of the seventy tons; and here are despatches from him which change the whole aspect of affairs, and infinitely augment our difficulties in the way of transportation.

It seems that Major General Gaines arrived at Fort King from Tampa bay on the 22d, and instantly called upon Brigadier General Clinch for 14,000 rations, he having brought with him about 1,100 men, and no subsistence except for the troops on the march. This demand will leave only about 5,000 rations at Fort Drane, and will moreover occupy the whole of the baggage-train at that place for many days. In other words, there will be left at Fort Drane but about eight days' subsistence for the regulars and volunteers who are there, say 650 men. To prevent starvation, I must, therefore, instantly recall the battalion of Georgia foot, now about twenty miles from this, and detain it until subsistence in abundance can be sent in advance. I have also ordered twenty thousand rations to be put on board the steamer about to set out for Volusia; but Volusia is about fifty miles from Fort King and seventy from Fort Drane, and the greater part of the route difficult, if not impracticable, for wagons. Pack-horses must be used, or the force from Tampa bay must approach Volusia.

Although my presence here for some days longer is highly necessary, I must hasten to Fort Drane with the company of Georgia mounted men above mentioned, in order to regulate the movements in that quarter. Major General Gaines, if he has not withdrawn, I shall first send to the Mexican frontier.

In a letter from him to Brigadier General Clinch, dated at New Orleans, the 2d instant, and communicated to me by the latter, he says that the New Orleans force is "intended to be in readiness at Fort Brooke, Tampa, by the 8th of the present month, to form a junction at or near that place

with the force under your command, *whenever*, and as soon as in your judgment your force shall be sufficient to justify the movement."

It seems, however, that he waited for no communication from Brigadier General Clinch. He either knew, or did not know, at Tampa, if not sooner, that I had been charged with the direction of the war. In the former case, perhaps, he hoped to finish the war before the forces I had called for could come up; in both cases he has neglected the assurance given to Brigadier General Clinch, that he would wait till the latter could co-operate. Major General Gaines, however, is at Fort King, having arrived by the usual route from Tampa. He saw no enemy, as I learn by his letter to Brigadier General Clinch; and the only meritorious service performed by him on the route was the burying of the remains of Major Dade and his gallant detachment.

At Fort King, at the latest, he must have learned that I was expected in Florida with a large force; yet it will be seen, by the copy of his letter, herewith enclosed, he intended, as soon as he had deprived Brigadier General Clinch of his subsistence, to march in pursuit of the enemy.

I have time to add no more. All my plans are thwarted; the principal of which was to move in concert from Fort Drane, Volusia, and Tampa, on the 8th of March, upon the enemy, who are supposed to be (at this time) principally upon the Withlacoochee.

I remain, in haste, with great respect, your most obedient servant,
WINFIELD SCOTT.

Brig. General JONES,
Adjutant General U. S.

No. 48.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, February 2, 1836.

SIR: With a view to an efficient co-operation of the forces now assembling in the northeast quarter of East Florida, under your command, with those ordered from this city, by water, to Tampa bay, against the Seminole Indians and their colored vassals and allies, I take much pleasure in advising you that a fine battalion of the chivalric volunteers of Louisiana, consisting of eight companies, headed by Adjutant General Smith, are engaged to embark to-morrow with the regular troops at this post, under the command of Colonel Twiggs, on board the steamboats the *Merchant*, Captain Smyler, and the *Watchman*, Captain Vincent. These forces, amounting to near 700 men, added to 250 artilleryists and marines, now at Tampa, to be sustained by an efficient naval force, promptly furnished by Commodores Dallas and Bolton, for cutting off the enemy's boats and other means of escape to the islands on the coast, are intended to be in readiness at Fort Brooke, Tampa, by the 8th of the present month, to form a junction, at or near that place, with the force under your command, whenever, and as soon as in your judgment your force shall be sufficient to justify the movement.

In the interim I shall be governed by such information as I may receive at Tampa, or my voyage thither to effect the desired junction, and as soon as possible to operate against, and take or destroy the enemy.

I advise you to move with great caution, fortifying your camp at night, and marching in open order during the day, so as to be always ready for action at a moment's warning.

The supplies of subsistence and amunition at Tampa are sufficient to divide with you until additional supplies can be obtained from this place.

I am, very respectfully, your obedient servant,

EDMUND P. GAINES.

To Brig. General CLINCH,

*or the officer commanding the army now at or near
Fort King, East Florida.*

To this force may be added 250 men under General Call, as lieutenant colonel, who will proceed to Tampa in two days, from St. Mark's.

J. H. EATON.

No. 49.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort King, East Florida, February 22, 1836.

GENERAL : I do myself the honor to announce to you my arrival at this place this afternoon, my force consisting of an aggregate of near eleven hundred and forty regulars and volunteers, pursuant to my plan of operations communicated to you under date of the 2d of the present month, all in in good health, save and except some few cases of chills and colds, which I doubt not that two days' rest will remove.

My march to this place was by the way of Warren's landing, on the Alafia river, and thence to the "military road," near the burnt bridge, on the Hillsborough river; thence along the road to this post; having found, nearly forty miles south of this post, the deeply afflictive exhibition of the slain and mutilated bodies of the gallant band who fell in battle under Major Dade on the 28th of December, without being able to discover the savage foe by whom this and numerous other acts of barbarism had been perpetrated upon this ill-fated frontier.

Hoping soon to see you, or hear from you the result of your late movements upon the northern and eastern border of the theatre of the war, with information obtained by you as to the enemy's late movements, and present probable position, that we may concert movements for his speedy overthrow, in which I shall take much pleasure in a cordial co-operation with you, I offer you my best wishes that our joint efforts may turn to a speedy and honorable termination of the war.

My present object is to march from this place, by the way of the lower battle-ground, on the Withlacoochee, and thence whithersoever any trail or trace of the enemy may be found, and, finally, to return to Fort Brooke, obtain additional supplies, and then move in a direction to Charlotte harbor, not doubting that, after scouring the frontier north and east of this place, you will obtain such information of the movements of the enemy as to lead you from this place, by the way of Tolocchopka, on Pease creek, and thence towards Charlotte harbor, where you will find a supply of subsistence and ammunion, under the protection of the United States

naval force. At Fort Brooke you will also find similar supplies, sufficient for your return to this place ; or, if necessary, to enable you to remain in that quarter, with 1,000 or 1,200 men, until you can obtain supplies from New Orleans.

These suggestions are necessarily imperfect, but this must always be the case, more or less, in a war with a people who take no prisoners ; who have no fortifications ; no intercourse with any other part of the human family ; no newspapers, or any post office or intelligence department. I therefore leave you to act according to the best of your judgment, and the information you may from time to time obtain ; proceeding, as I shall proceed, upon the principle that, to find the enemy, we must search for him ; and, when we find him, we must take or destroy him, or he will assuredly destroy us.

Very respectfully, your obedient servant,

ED. P. GAINES,

Major General commanding.

To Brig. Gen. D. L. CLINCH,

or officer on the northeastern border of East Florida.

No. 50.

FORT DRANE, FLORIDA,

February 24, 1836.

SIR : I hasten to advise you of the arrival at Fort King, (20 miles south of this,) of Major General Gaines, from Fort Brooke, with a force of about 1,000 men. General Gaines brought provisions only for the march through, and has now required of me nearly all that we have on hand here. I shall send down to-day as much as we can find means to transport to him. I shall also go down myself to Fort King, and return to-morrow.

I am, with high respect, your most obedient servant,

D. L. CLINCH,

Brevet Brigadier General.

Major General Scott,

Commanding in Florida.

No. 51.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort King, Florida, February 22, 1836.

SIR : I am directed by Major General Gaines to request that you will cause to be delivered to Lieutenant Colonel Foster, 4th infantry, fourteen thousand rations of salted pork and fourteen thousand rations of hard bread or flour, or equal quantities of each, with a small quantity of salt, for the troops at this post.

With great respect, I am, sir, your most obedient servant,

GEO. A. McCALL,

A. D. C. acting assis't Adjutant Gen'l.

C. M. THRUSTON,

Captain 3d artillery.

No. 52.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 2, 1836.

SIR: I wrote to you by the last steamer that left this place, on the 26th ultimo, and two days after made notes upon an order, (No. 4,) which you will receive at the same time with this.

All hope of sending supplies hence by the Ochlawaha is abandoned.; We have to rely solely on the road to Fort Drane, which is bad enough, and the horses and mules which were to have followed me closely from Savannah have not arrived. The quartermaster (Lieutenant Dimmock) of that post had been in bed the greater part of the time that I was there; but was again on his feet when I left him. It is possible that he may have relapsed.

The correspondence, copies of which will accompany this letter, between Major General Gaines and Brigadier General Clinch, and the latter and myself, will explain the state of affairs in respect to the right wing, or the theatre of war in the direction of those generals.

No calculation can be made on the movements or dispositions of the force under Major General Gaines. He probably got beyond the reach of my order No. 4 before it arrived at Fort Drane, and therefore he may not receive it before to-morrow. Whether he will obey it, or allow the force he brought from Tampa bay to march to Volusia, is uncertain. There is no doubt that he will be obliged to fall back upon Fort King or Fort Drane. The whole of Brigadier General Clinch's baggage-train will arrive here to-day (on the opposite side of the river) for subsistence, and I shall add a few wagons, for which there are horses here which came from Charleston *via* St. Augustine.

The company of mounted Georgia volunteers that arrived here about six days ago, and with which I had expected to march to Fort Drane, refused to be mustered into service, and refused to come under the rules and articles of war, with the exception of a small part that remains. The rest went off, without leave, from their gallant and patriotic captain (Kenan) yesterday and the day before. The other four companies, of the same battalion, are this moment reported to have arrived on the opposite shore. I have sent an officer over to muster them into service; if I can get two of the companies I shall be most happy. I may obtain the four, but will march with one to Fort Drane. Some mounted men are indispensable; and I know not that the United States dragoons will arrive in a month. I wish that I had never relied upon the arrival of that detachment. Expecting it hourly at Savannah (I *had* expected it at Charleston as early as the 4th ultimo) I left all the horses, in order that the mounts might first be chosen, and the remainder of the lot then sent here for the baggage-train. That error I corrected, as far as practicable, by an order given to Lieutenant Dimmock on the 21st ultimo. No horses, however, have arrived from Savannah.

Brigadier General Eustis has just come over from St. Augustine. [We have heard nothing recently from Colonel Goodwyn's regiment of mounted South Carolinians, but presume it has reached Jacksonville below.] The left wing will probably reach Volusia by the 8th or 10th instant.

The steamer, sent up to Volusia, returned last night, having landed the detachment and provisions with success. Indeed, too much praise cannot

be bestowed upon the officers and men composing that detachment. Captain Canfield, of the topographical engineers, went up and returned in the steamer, which had to be unloaded to pass the bar at the head of lake George. Indians were seen going up and returning, and several random shots exchanged. I ordered from Savannah the little steamer belonging to the engineer department, called the *Essayons*, to be sent here for the express purpose of communicating with that post, and of supplying it with stores from Picolata; but that boat, like every thing else (almost) left behind, has not arrived.

The river here is nearly two miles broad, and has, on account of wind, been extremely difficult to pass in flats and open boats yesterday and today. I am endeavoring to send over provisions for Fort Drane, and the extra wagons. If Major General Gaines falls back upon Fort King or Fort Drane, those provisions will soon be necessary for the current subsistence of the forces which will be assembled in that vicinity, and I should not be surprised if he seize upon the greater number of the wagons, with their loads, and endeavor to make his escape out of the Territory by way of Tampa bay. He brought with him about 60 pack-horses, I understand, from that place, and no wagons. Whether he will carry off the Louisiana volunteers and the regulars with him, is uncertain. The former, I learn, (from Captain Shannon, United States 1st infantry, who arrived last night *via* Tampa and Fort Drane,) were mustered into service for 90 days; and by a letter from Colonel Smith, who commands the regiment, the men are desirous of performing their duty.

I have at length received a letter from Colonel Lindsay, dated at Mobile, the 13th ultimo. He was about to set out for Tuscaloosa, to hasten the Alabama regiment. It is now evident that he cannot be at Tampa before the 10th, probably the 15th instant.

By a reference to the map it will be seen that even if Major General Gaines could succeed in driving the enemy from the Withlacoochee, there is no force to prevent the retreat below Charlotte harbor, or to any point in the lower peninsula. A small guard only was left at Tampa. Colonel Lindsay will not be in position in time, and Brigadier General Eustis cannot cross the Ochlawaha earlier than the 14th instant. The retreat, it will be seen, is therefore open to the Indians. In this point of view, then, it would be infinitely better for the public interests that the enemy should drive Major General Gaines than that he should drive them. The war, in fact, would be forwarded by his being forced back upon Fort Drane or Fort King. He ought, in truth, to have fallen back on the evening of the 28th or the morning of the 29th ultimo. The lives which he has lost have promoted no end. He must, I think, still fall back, and I wish to heaven that it may be without further loss. Brigadier General Clinch, from his present want of wagons, can send him no efficient aid; and the wagons cannot be back in four or five days. If the force with Major General Gaines were at Tampa bay, it would now be in its true position; but he cannot retreat thither; for it will be seen by his letters that he has not the means of passing the river. He found the enemy exactly in the vicinity where all my arrangements presumed the enemy would be found, and in the positions which would have been the most favorable to us.

I cannot close this letter without adding that I have heard nothing of the tents and knapsacks. The rifles, it seems, were to leave Harper's Ferry about the 13th ultimo; and Major Gates, who reached Savannah

a week ago, has not since been heard from. Those arrangements and movements are about upon a par with certain militia movements in my rear. The functionaries concerned must feel themselves in the enjoyment of a most profound peace.

I remain, sir, with great respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

P. S. I have this moment heard that of the four mounted Georgia companies just arrived, one, with the exception of 19, refuses to be mustered, and that another, that has but 40 privates, is ready to enter the service. The two other companies, encamped some miles off, I shall hear from in the morning. I shall endeavor to see all the companies to-morrow, if we can cross the river, and to blend the fragments of companies; but I learn that, in that case, those fragments will not agree to be consolidated without all their officers and non-commissioned officers! The Essayons is in sight.
W. S.

No. 53.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 1.

Picolata, February 22, 1836.

Major General Scott, having arrived in Florida, assumes the general direction of the war against the hostile Seminole Indians.

The staff officers attached to general headquarters at present, are Captain Canfield, (topographical engineer,) Lieutenant Chambers, (chief of the commissariat,) and Lieutenants Van Buren, Temple, and Johnston, aids-de-camp. All orders and instructions, conveyed by either of them in the name of the Major General, and whether orally or in writing, will be duly obeyed.

The right and left wings of the army, or the troops on the west and east side of the St. John's river, will be continued under the respective orders of Brigadier Generals Clinch and Eustis; and the forces which are to operate from Tampa bay, under Colonel Lindsey, will, when they come into line, constitute the centre. The wings will soon be greatly reinforced by the arrival of both regulars and volunteers.

The three immediate commanders of the right, left, and centre of the army, respectively, will generally receive orders direct from general headquarters; but, of course, every junior will obey any senior, according to the rules and articles of war, and the usages of the service, whether the parties belong to the militia or to the militia and regular army.

As, for the first time, patriotic volunteers from South Carolina, Georgia, Alabama, Louisiana, and Florida, are to come into the same line with a portion of the regular army, it is confidently hoped that a beneficial emulation, without unkindness or prejudice, may animate the different forces. All are equally Americans, actuated by the like determination—to subdue a treacherous and a common foe.

But valor and patriotism alone are not sufficient for that end. Some tactical instruction and an exact obedience to commands, are also neces-

sary. Instruction can only be acquired by opportunity and labor. A firm resolution *to obey* accomplishes the other great requisite at once. Let the resolution, then, be promptly taken by *all* who have nobly turned out to avenge their butchered countrymen.

But again: to parade, to march, to mount guard, and to fight, are not the only duties of war. To handle and preserve the supplies of the army, and to construct camp and other field defences, are equally required of every good soldier. A corps of servants, for these purposes, would be too large and cumbrous. It would double the army, and render one-half too *mean*, and the other too *delicate*, for the glory of a well-contested field. Fatigue parties must, therefore, when wanted, be furnished by all the corps in their turn, and proportionally.

WINFIELD SCOTT.

By command of Major General Scott:

A. VAN BUREN,

Aid-de-camp, acting Ass't Adj't General.

No. 54.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 4.

Picolata, February 26, 1836.

The detachment of regulars and volunteers which has recently arrived at Fort King from Fort Brooke, will remain in its present position till further orders. It will, from time to time, receive from Fort Drane the subsistence which cannot be supplied at Fort King.

Brigadier General Clinch, or the commanding officer at Fort King, will immediately hire or employ any suitable boats which may be found at or near Payne's landing, to be sent down with a sufficient detachment to receive at Picolata, or if met, from a steamer which will be despatched to the mouth of the Ochlawaha, the subsistence which will be wanted at Fort King. The steamer may be expected at the mouth of the Ochlawaha, with supplies, by the 3d or 4th of the next month, and will wait there, if necessary, for the boats till the 8th.

Should it be impracticable to send suitable boats to Picolata, or the mouth of the Ochlawaha, for the subsistence, the detachment recently from Fort Brooke will march to Volusia, without delay, and there wait for further orders. To that point, subsistence, in abundance, will be sent hence to-morrow, to be placed under cover of a field-work and a strong detachment.

No offensive movement, except so far as may be necessary to carry these orders into execution, will be attempted by the troops at, or in the neighborhood of, Forts King and Drane, until further instructions from general headquarters.

WINFIELD SCOTT.

A true copy:

A. VAN BUREN,

Aid-de-camp, act'g Ass't Adj't Gen'l.

No. 55.

Notes for the Secretary of War and General-in-chief.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 28, 1836.

Fort Drane is the *depot* nearest to the supposed position of the mass of the enemy, and the point the most difficult to supply from Picolata. The right wing was intended to be concentrated at Fort Drane, say by the 8th of March, when it was expected that General Clinch would have had all the Georgia troops, companies of United States artillery, and the detachment of United States dragoons; in all, about fourteen hundred men.

On the 25th instant it was known that General Clinch would have had, but for General Gaines, nineteen thousand rations for men, and about three thousand bushels of corn for horses. That amount of subsistence at Fort Drane I should more than have maintained by the 8th of March, by means of the baggage-train expected from Savannah and Charleston, and by the aid of *boating* on the Ochlawaha to Payne's landing. But if only twenty thousand rations for men could have been placed at Fort Drane (including the number there on the 25th instant) by the 8th of March, the right wing might have advanced with confidence on the latter day, independent of farther partial supplies from this place.

Boating on the Ochlawaha, to Payne's landing, is still relied upon with great confidence. General Clinch has there from four to six sugar-lighters, (his private property, I believe,) built expressly for that river, and capable of transporting from forty to sixty tons. Their construction is peculiar; and the boats at Picolata, or on the St. John's, cannot be used on the Ochlawaha. On the 25th I heard of those boats, and immediately directed General Clinch to send them down. (It is supposed that there is no enemy on the Ochlawaha.) His means of land transportation were to be sent at the same time. But General Gaines not only arrives with eleven hundred and forty men, in the mean time, from a grand *depot*, bringing with him no supplies; not only calls for all the baggage-train, and nearly the whole of the subsistence at Fort Drane, but takes General Clinch, personally, from his position; and I may be thereby delayed three days longer than I should have been in learning whether the boats can come down or not! My order No. 4 may, in part, correct those evils; and by order No. 5 I have recalled the Georgia battalion of foot. A chapter of embarrassments and vexations!

Not a doubt is entertained that the post at Volusia will be established. The steamer Santee went hence on the 27th instant for the purpose, having on board Elmore's company of South Carolina volunteers and a United States company under Lieutenant Irwin; in all one hundred and sixty men. She also took twenty thousand rations, two scows or flats, two row-boats, tools, nails, &c. If the steamer cannot pass the bar at the head of Lake George, six or eight miles below Volusia, (and it is believed she can, at least by the aid of the lighters,) the lighters and boats will be able to reach the point, &c. Farther supplies of every sort which may be required by the left wing, or the troops from Tampa, will, from time to time, follow from Picolata. But Volusia, though easy of access from this place, is much more distant from the enemy on the Withlacoochee

than either Fort King or Drane. The left wing, however, when concentrated at Volusia, will be in position either to march upon the Withlacoochee, the upper crossing on the Ochlawaha, to Tampa, Charlotte harbor, or, in general, to prevent the enemy from escaping to the southeast, particularly by a simultaneous movement, with Colonel Lindsay and the Alabama regiment, from Tampa bay; and this, too, whether General Gaines marches his column to Volusia, remains at Fort King, or, in a pet, takes it back to Tampa—perhaps New Orleans, against my orders.

It will be seen, from the foregoing, that to re-establish my plan of campaign, viz: to move simultaneously from Fort Drane, (or Fort King,) from Volusia, and Tampa, (say about the 8th of March,) the great difficulty will be to send supplies for the right wing; and the bad road from Picolata to Fort Drane (sixty-five miles) has, by a heavy rain which has now been falling for forty-six hours, been rendered infinitely worse.

I beg that this mode of communicating, which accident has thrown me upon, may be excused.

WINFIELD SCOTT.

No. 56.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 27, 1837.

ORDERS No. 5.

An unexpected and unauthorized arrival at Fort Drane of a heavy detachment of troops from Tampa bay, without subsistence, being likely to exhaust the supplies provided at Fort Drane for other troops, the Georgia volunteers, under the command of Major Cooper, will return to the St. John's, and encamp till the embarrassment that causes this retrograde movement can be remedied.

By command of Major General Scott:

A. VAN BUREN,

Aid-de-camp, act'g ass't Adj't General.

No. 57.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 27, 1837.

ORDERS No. 6.

Until the arrival of the other parts of the same battalion, Captain Kenan's company of mounted volunteers will be held as a separate corps.

Every company of mounted volunteers will be supplied with picketing-rope, and, to the extent of the supply, with nose-bags.

By command of Major General Scott:

A. VAN BUREN,

Aid-de-camp, acting Ass't Adj't General.

No. 58.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 25, 1836.

SIR: I arrived here the evening of the 22d, and had the satisfaction of receiving your letters of the 17th and 20th.

I enclose you a copy of an order that I issued on my arrival.

A battalion of Georgia foot (three hundred and forty strong) crossed the river last evening to join you. Its baggage-train being exceedingly indifferent, (nothing better having arrived,) I doubt whether the battalion reaches you in four or five days. Major Cooper is its commander.

The first company of a battalion of mounted men, from the same State, is expected to arrive opposite to Picolata to-day. The remainder of the battalion (four companies) are supposed to be one, two, and three days behind. This battalion (say three hundred and fifty strong) is also destined to reinforce the right wing under your command, and it shall be despatched as fast as the companies arrive, after leaving time for each company to refresh its horses. A second battalion of mounted Georgians may be expected by the same route, and for the same destination, in ten or twelve days. I shall not wait for it, nor for the detachment of United States dragoons, which has occupied at least twenty-two days in getting horse-equipments in New York and Philadelphia, and may occupy three weeks more. I shall join you with one of the companies of mounted men nearest at hand. Another Georgia battalion of foot that was to rendezvous at Columbus to go thence *via* Appalachicola, I hope an express, sent by me, may arrive in time to keep at home.

Brigadier General Eustis has commenced pushing forward the South Carolina regiment of foot *via* Tomoca, &c., towards Volusia, where it may arrive by the 3d of March. A steamer will take hence, in two days, a detachment of South Carolinians (Elmore's company, one hundred and ten strong) to the bar, ten miles below Volusia, and thence, with flats and row-boats, proceed to make an establishment at that place. A company of regulars may go with this detachment, and large stores for either wing of the army will be deposited there.

The regiment of mounted South Carolinians began to arrive at Savannah on the evening of the 20th. This regiment (say seven hundred and forty strong) may reach St. Augustine by the 3d of March, and Volusia the 7th. It will cross the St. John's at Jacksonville. With the left wing there will be, in addition, five companies of regulars—leaving one here, and, perhaps, another at St. Augustine; and I propose to send to the right wing at least two of the companies that embarked at Baltimore for this place *via* Savannah. These companies may now be hourly expected here, having heard that they had got to sea.

According to computation, Colonel Lindsay could not have embarked the Alabama regiment (seven hundred and forty men) at Mobile for Tampa earlier than the 24th instant, probably not so early. I have not had a line from him or Governor Clay. My call on the latter was dated at Augusta, the 31st ultimo, and Colonel Lindsay set out for the same place the 4th instant.

I am greatly surprised that Governor Eaton should think of sending a single company from Middle Florida to Tampa; for he knew all that I had done in respect to that end of our line of communications, and he

knew of the forces sent to the same place from New Orleans, and which did not enter into my estimates for the war. Indeed, I expressly told the Governor that it would be best to keep his militia (already much harassed) at home, and in *defensive* positions, as I hoped to drive the enemy in upon the settlements of Middle Florida. The movement from New Orleans, although highly worthy of praise, under the circumstances, may, if it should lead to a premature advance from Tampa, be productive of a result the most unfavorable.

If the advance, for example, should fail to crush the enemy and terminate the war—and, without mounted men, I suppose such result can scarcely be hoped for—the enemy may be scattered and put upon his retreat to the southeast. To follow him in such retreat, might be almost impracticable; and, to prevent the escape in that direction, Colonel Lindsay has my instructions in detail.

To resume: I hope to be personally at Fort Drane before the 3d of next month, and to make the right wing about fourteen hundred strong. Brigadier General Eustis will have at Volusia, four days later, even a larger force, and Colonel Lindsay, (or Major General Gaines,) by the 3d, the largest army of the three. If, therefore, I can send to Fort Drane from this, as I do not doubt I shall, the necessary supplies, say hard bread, bacon, and some corn, (besides what you report,) the 8th of March had best be fixed as the day for the vigorous movement of the right, the left, and the centre of the army, upon the enemy. The necessary instructions to Colonel Lindsay, I wish you to give by any route in your power—say direct, if practicable, or by Tallahassee and St. Mark's, or both. If the 8th of March be too early a day, you may designate the 10th, 12th or 15th. Is it not possible to take a portion of the supplies, wanted to give the right wing confidence in its forward movement, by water, from this place?

If I had here the sugar-lighters from Payne's landing, they might be loaded, towed to the mouth of the Ochlawaha, and thence polled up to that landing. I estimate that it will be necessary to transport to you, before the 8th of March, in order that you may, on that day, have a balance for fifteen days, about seventy tons of supplies; and I fear that I shall not have, of *land*-transportation, for the purpose, in that time, exceeding say thirty-five two-horse wagons. Send down, then, as much of your baggage-train as you can spare, and at once; also the sugar-lighters, if you can safely do so.

By the Florida, hourly expected from Savannah, I hope we shall receive about fifteen two-horse wagons, and some horses. More of the latter will soon arrive here and at St. Augustine; and five large wagons will come with the troops from Baltimore; but, remember, that seventy tons will load one hundred and forty two-horse wagons.

I hope to hear from you by the return of the express, and remain, with great consideration, your obedient servant,

WINFIELD SCOTT.

To Brigadier General CLINCH.

No. 59.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, February 26, 1836.

SIR: I have heard with equal astonishment and regret, that Major General Gaines, without reference to my arrangements, perhaps in ignorance, possibly in defiance of them, should have made a premature movement from Tampa bay, and having arrived within twenty miles of Fort Drane, should have called for nearly three-fourths of the subsistence in deposite at that place, on which I had relied for the movement of the right wing, in concert with the other parts of the army. If his demand shall have been complied with in full, before my orders on the subject shall arrive, all hopes of putting the right wing in motion in search of the enemy must be delayed till the rations so withdrawn can be replaced from this point; and the means of land transportation to a sufficient extent are not expected to arrive here before the eighth of the next month.

To remedy this unexpected embarrassment, I send you two copies of Orders No. 4; one of which you will despatch to the commanding officer of the detachment from Fort Brooke, whoever he may be, with all speed, and limit the subsistence called for from Fort Drane, according to the intention of those orders.

I hope it may be found practicable to send from the Ochlawaha suitable boats to receive (say) from twenty to eighty tons of subsistence, and other supplies, at once, which will be wanted to justify an effective movement upon the enemy from your vicinity. If not, send down all the means of land transportation at or near your headquarters, which you can spare. We have no suitable boats here, and the horses expected from Savannah cannot be here in the whole, before perhaps the 8th of March. The steamer Florida arrived last night with some wagons, but without horses, and but one company of Georgia mounted men has been heard of. With that I shall set out for Fort Drane as soon as I can; perhaps not in four or five days. In the mean time, let me continue to hear from you.

The steamer Santee, with about 160 regulars and volunteers, sets out early to-morrow morning to make an establishment at Volusia. She takes 20,000 rations, lighters, boats, &c. From Fort King to Volusia, I suppose to be about fifty miles, and the route practicable for troops.

Major General Gaines, I presume, will have heard of the order which ought to take him to the Mexican frontier. If he should prefer to remain, he must obey my orders.

In haste, with great respect, I remain truly yours,

WINFIELD SCOTT.

To Brigadier General CLINCH,
Commanding, &c., Fort Drane.

No. 80.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 1, 1836.

SIR: By the arrival, at daylight this morning, of the express from Fort Drane, I have your note of yesterday, accompanied by a letter to you from Major General Gaines, dated the day before.

I regret, in every point of view, the premature and unauthorized movement from Tampa bay, made by that General, and the very awkward and responsible position he has placed himself in, by his subsequent march from Fort King. I presume that, as instructed, you sent him my Order No. 4, dated the 26th ultimo. By that he saw that if the troops he brought with him from Tampa bay could not be subsisted at Fort King, by means of supplies derived from this place, through the Ochlawaha, it was expressly commanded that the column should march to Volusia without delay, where subsistence in abundance would be immediately provided. But he had, before that order reached him, taken from Fort Drane a large part of the subsistence relied upon for a more systematic course of operations, and decamped; the order, however, I take it for granted was sent after him, and in time to reach him within twenty miles of Fort King. In any event, the responsibility of his movements, and actual position, is his own; for he must have known, as early as the 10th ultimo, if not before, that I had been charged with the general direction of the war in Florida, and that by interfering, he constituted himself an interloper.

Even if you had sufficient stores on hand, and means of transportation, under the circumstances, I should command you to send no subsistence to him, unless to prevent starvation; but you have neither. Let him, therefore, in time, extricate himself from the embarrassment he has placed himself in by marching upon Volusia, where, I have no reason to doubt, that 20,000 rations, sent hence on the 27th ultimo, have safely arrived. As he appears to have a retreat open to him, or is in no peril to prevent his taking that step, you, of course, will make no detachment or movement to join him.

The train you have ordered hither is expected to night: as yet, we have here few wagons to add to your number. The whole train shall be immediately loaded with subsistence, and sent back to Fort Drane. I have only time to say that, should the troops under Major General Gaines be compelled to march back to Fort King, or to Fort Drane, instead of proceeding to Volusia, as heretofore commanded, and as I still wish that they should do, on account of the extreme difficulty of sending subsistence to your neighborhood, you will only issue rations to them for their current subsistence, and not for further false expeditions.

As the first consequence of the arrival of the troops from Tampa bay to Fort King, and the demand made upon Fort Drane, for subsistence, I was obliged to order back a battalion of Georgia volunteers that had then been nearly two days in route to join you.

The company of mounted men from the same State, now on the opposite side of the river, refuse to be mustered into service, and refuse to come under the rules and articles of war. The other companies of the same battalion may follow their example; if they do, I shall lose no time in ordering the whole back to their homes.

Major Gates, with his three companies, has not arrived, and I have no intelligence respecting the United States dragoons, of a recent date. Finally, the horses for some days expected from Savannah have not arrived. These embarrassments may detain me here I know not how long.

The left wing is moving upon Volusia with system and success. The South Carolina foot constitutes the advance, and I suppose the mounted

regiment from the same State is now crossing the St. John's at Jacksonville.

Send another copy of my Order No. 4 to Major General Gaines, and a copy of Order No. 1, which is enclosed for the purpose. The former is reiterated so far as respects the march to Volusia, if this be practicable; and enclose him a certified copy of this letter for his government and your justification.

I remain, in haste, your obedient servant,

WINFIELD SCOTT.

P. S. I am instructed by Major General Scott to say that the quartermaster's return did not accompany your letter of the 27th ultimo. No return has been received of your ordnance, or ordnance stores, particularly the fixed ammunition for muskets. Please to send one.

Respectfully,

A. VAN BUREN.

Aid-de-camp.

No. 61.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 1, 1836.

SIR: I have just closed No. 1 to you of this date. It has since occurred to me that Colonel Lindsay may arrive at Tampa bay, and prematurely march to meet the column he will suppose to be in operation from Fort Drane. Such a movement would infinitely embarrass the subsistence department here, and with you, on account of the false movement of Major General Gaines, and our want of sufficient means of transportation from this point. Therefore, if possible, and you can best judge, communicate with Colonel Lindsay, and say that a movement from Fort Drane must be unavoidably delayed, for the reasons mentioned, to the 15th instant, when he will, with as many days' subsistence as possible, for his command, but with no less than eight or six, march to meet you at such probable point as you may name.

Again, with the highest respect, your most obedient servant,

WINFIELD SCOTT.

To Brigadier General CLINCH,
Fort Drane.

No. 62.

HEADQUARTERS, CAMP IZARD,

*On the right bank of the Withlacoochee, 2 miles west of
General Clinch's battle-ground, February 28, 1836.*

GENERAL: I take much pleasure in stating to you that I have reason to believe I have now near me the principal force of the Seminole Indians, with their black vassals and allies. I, yesterday afternoon, after

halting my reserve and rear guard, with my baggage-train, in the upper pine woods, near the encampment north of the battle-ground, proceeded with the remainder part of my force to the Withlacoochee, with a view to reconnoitre and inspect in person the adjacent section of the river, preparatory to my intended crossing, which I had designed to attempt this morning. I had been at the river only long enough to examine it 250 or 300 yards, about and above the usual crossing-place, when the enemy commenced a spirited firing on my party, and kept it up with the war-whoop, for half an hour. The fire was of course returned.

Having determined this morning, in consequence of the thick woods on the opposite side of the river, to extend my examinations to this point, at which I learned there were open pine woods on both sides of the river, I accordingly marched with my whole force to this place, where I was promptly met by the enemy, whose force appears to have increased very considerably in the course of an hour or two. The river at this place is deemed to be about as wide, but much deeper and less rapid, than at the first-mentioned place, with open pine woods on both sides. Neither of the places are fordable. My reconnoissances, in consequence of the narrowness of the river, and the impossibility of finding materials for promptly bridging or rafting the stream, have resulted in the loss of two of the Louisiana volunteers killed, and ten volunteers and regulars wounded; among the latter I deeply lament to find the gallant Lieutenant Izard, of the dragoons, dangerously.

Being convinced that the principal force of the enemy is now assembled before me, and not doubting that their women and children are placed in a large cypress swamp, within a few miles of this place, and that an immediate movement of a force equal or nearly equal to that now with me, consisting in part of mounted men, would enable us to put an end to the war in the next ten days, by a combined and simultaneous movement against them, I have deemed it my duty to propose to you such a movement, should the forces expected at Fort Drane have arrived—otherwise the force there on the 22d would, I think, be sufficient—but this is doubtful, and the case is one of too much importance to leave the question of force at all in doubt. In the expectation of this co-operation, I shall endeavor to amuse the enemy in completing my boats and preparing to cross—but I shall not cross until I hear from you.

In any event I request of you six thousand rations of pork and flour, and sugar, with the quartermaster's stores which follow: 2 whip-saws, 2 cross-cut saws, 2 hand-saws, 6 adzes, 6 trows, augers, assorted, 4 broad-axes, 2 iron wedges, 200 iron spikes, and, if possible, 2 field-pieces, with 150 rounds canister and 50 round shot; 10,000 rounds musket-cartridges.

I have the honor to be, your obedient servant.

EDMUND P. GAINES.

Killed—Zeno Boullie, Valentine Beck.

To Brig. Gen. D. L. CLINCH,

*or officer commanding United States troops assembling at
Fort Drane, East Florida.*

P. S. The forces from Fort Drane should cross the Withlacoochee at the ford eight or ten miles above the battle-ground, or at the point, and move down on the left bank of the river, to this place.

No. 63.

HEADQUARTERS, CAMP IZARD,
2 miles west of General Clinch's battle ground,
February 29, 1836.

GENERAL: I last night stated to you, by express, the occurrence of my meeting the Indians on my arrival at this place, suggesting the expediency of an immediate co-operation on the part of the disposable force under your command, under the strong conviction that, by such co-operation, we should be able, in a few days, to bring the war to a close, having been convinced that the principal force of the enemy is assembled near me on this river. The occurrences of the day confirm me in the opinion I then expressed to you.

Having occupied myself in preparing a small work to command the crossing-place of the river, and making canoes for the purpose of constructing a bridge, I had not deemed it necessary to strengthen my breast-works, not having apprehended that the enemy would have the temerity to attack me in my position. In this conclusion, however, I have been disappointed. At 10 o'clock this morning a spirited and vigorous attack was made by the enemy on three sides of my encampment, which continued two hours, with little or no intermission; in the course of which they frequently approached so near to my left flank, commanded by Adjutant General Smith, of the Louisiana volunteers, as to wound several men on the opposite flank, a distance of 200 yards. They were, however, repulsed: I have reason to believe with considerable loss.

The loss sustained by the force of my command was 1 sergeant killed, and 1 officer (Lieutenant Duncan) and 10 men wounded of the regulars, and 1 officer and 20 men wounded of the volunteers. The troops having been particularly instructed not to throw away their fire, or to fire without correct aim at a short distance, I was happy to find the order was strictly attended to, and consequently but little ammunition was expended. It is impossible to say, with any precision, what was the enemy's force; but the officers best acquainted with the service concur with me in opinion it was not less than 1,500. From the foregoing facts, I have no doubt the principal force of the enemy is now in this vicinity; that they are sensible of the desperate situation in which they have placed themselves; and that their temerity will prompt them to make a resistance commensurate with the circumstances in which they find themselves.

I have abstained, and shall abstain, from a sortie until I hear from you, in the expectation that this course will contribute to keep them together, whilst a sortie might tend to disperse them. I am now satisfied a movement directly to this place will be more advisable than to attempt to cross the Withlacoochee higher up, as suggested in my letter of yesterday. I am, moreover, of the opinion that, if mounted men can be procured in the course of a few days, your force should not move from Fort Drane without this description of troops. I repeat my request, that I may be furnished 6,000 rations of flour, pork, and sugar, 5 bushels of salt, some corn, with tools to build blockhouses, 2 field pieces, 150 rounds of canister, and 50 round shot, 10,000 musket ball-cartridges, with as many light wagons as can be spared, as my wounded are increasing daily, and my horses decreasing. I have the honor to be, &c.,

To Gen. D. L. CLINCH,

EDMUND P. GAINES.

or officer com'g troops assembled at Fort Drane. Auld Lang Syne.

No. 64.

Extract of a letter addressed to Brigadier General Clinch, by order of Major General Scott, dated

PICOLATA, March 2, 1836.

If Major General Gaines should fall back upon Fort King or Fort Drane, it is presumed that he will proceed to execute the orders of the Government, which will carry him to another quarter. In that event, you would be the senior officer; and I am instructed by Major General Scott to say that you are at liberty to detain the troops from Fort Brooke, at either of the forts mentioned—Drane and King. Subsistence will reach you in five or six days.

A. VAN BUREN, *Aid-de-camp.*

No. 65.

FORT KING, February 25, 1836.

DEAR SHANNON: I received your letter and check, for which I am much obliged. I find it is General Gaines's intention to go down to Tampa bay, by the way of the scene of General Clinch's fight, and then to quit Florida. I wish you would take occasion to say to General Scott that if he thinks the services of my regiment can be of use to his operations, I would rather remain with it in Florida than go back without having seen a fight; though, to tell you the truth, I would rather have the fight before the grand army comes up. I would like, therefore, before we can be shipped back from Tampa bay, to be ordered on some active duty by General Scott. Try and send any news you may hear.

Yours, sincerely,

P. F. SMITH.

Captain S. SHANNON.

No. 66.

HEADQUARTERS, ARMY OF FLORIDA,
Picolata, March 4, 1836.

ORDERS No. 11.

Captain Shannon, chief of the United States quartermaster's department, will exert himself to start the wagon train (loaded) as early as possible for Fort Drane. He will engage a responsible wagon-master, and obtain the drivers that may be wanted.

Major Cooper will detach a company from his battalion to escort the wagons, which will remain at Fort Drane until the remainder of the battalion shall come up with it.

The commander of the escort will receive instructions for the march from the quartermaster, as will the wagon-master. The latter will be immediately charged with the command of the drivers, and the care of the wagons and horses; the whole under the general direction of the commander of the escort.

By command of Major General Scott:

A. VAN BUREN, *A. D. C.*

No. 67.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 12.

Picolata, March 5, 1836.

All the troops now in the vicinity of Picolata and Garey's ferry, on Black creek, as well as those expected to arrive in a few days at the one or the other place, are destined to make part of the right wing of the army, and will constantly hold themselves in readiness to march for Fort Drane.

To make room for subsistence, ammunition, and hospital stores, the wagon train will be relieved of every thing that can be dispensed with. Commanding officers of battalions and companies will look closely to this great object, and each is held responsible that every thing is left behind not absolutely necessary to the efficiency of officers and men.

A great saving in the weight to be drawn may be made in diminishing the number of tents. One for the officers of a company, and one for every twelve sergeants, corporals, privates, and musicians, will give as many as the means of transportation will permit. This proportion must, on no account, be exceeded. Every intelligent individual will see that it is sufficient, when he reflects that there will then be tents enough to cover the sick, the delicate, and all the arms, particularly as near the enemy one-third of every company ought to be on guard from sundown to sunrise.

In order that the wagons and pack-horses may not be broken down by the lazy, no individual, except a sick or a lame man, will be allowed to ride. In cases of doubt, a surgeon, or, if there be none, the commanding officer, will decide. This rule must be rigorously enforced.

As a general rule, the troops will always commence long marches with four days' subsistence in each haversack. Hard bread, which is the lightest and the most wholesome, has been provided for the purpose, and for the same reasons bacon shall soon be issued; until it shall arrive, boiled pork for two days will be put in each haversack, with bread for four, at the commencement of the march for Fort Drane.

The arms and ammunition of every man must, at all times, be kept in the best possible condition for firing. Both must be carefully inspected by company officers every morning and every evening. Commanders of companies will always see that this is done in every company, and field officers will also look to the execution of this command.

Arms must not be permitted to remain too long loaded. The loads must from time to time be drawn, or, by special permission, fired; all the bad loads of the same battalion or company at the same time. The special permission is indispensable to prevent false alarms; for, near the enemy, a single discharge ought to be a signal for the whole to turn out under arms. For this reason, and also on account of the difficulty of transporting ammunition in wagons, all idle firing in or about camps or columns in march is strictly prohibited.

When access can be had to the ammunition wagon, every man ought constantly to have in his cartouch-box, or pocket, at least twenty-four rounds of ammunition to fit him for battle. This object ought to be looked to every morning when arms and ammunition are inspected.

Volunteers will seize every occasion that may offer to drill by battalion and by company.

By command of Major General Scott:

A. VAN BUREN, *Aid-de-camp,*
Acting Assistant Adjutant General.

No. 68.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 6, 1836.

SIR: No intelligence has been received of the movements of Major General Gaines of a later date than his letter dated the 29th ultimo, a copy of which has been forwarded. He cannot, therefore, have fallen back upon either Forts Drane or King, or have marched upon Volusia. In either case, I should, doubtless, have received a further report of him from Brigadier General Clinch. It may then be hoped that he has beaten the enemy, or, at least, has succeeded in effecting his return to Tampa bay. In this state of doubt and anxiety, I know not how long I may have to remain. Yet it is important to my combinations that I should speedily learn what has become of his column, and particularly whether the position and numbers of the enemy have been materially changed by its operations.

I at length know that the South Carolina mounted regiment reached Jacksonville yesterday. It is destined to make part of the left wing. The foot (in part) of the same wing now occupies Volusia, and positions on the coast as far as the Tomoca. Four other companies are engaged in scouring the country between the Atlantic and the St. John's, as far south as the Alachua ferry, or Pilatka. Several small parties of the enemy have been discovered almost in a line between this and St. Augustine. A few shots have been exchanged, but without results. On the supposition that Major General Gaines has left the state of the enemy on the Withlacoochee unchanged, the left wing (under Brigadier General Eustis) need not be concentrated at Volusia until a day or two before Brigadier General Clinch shall be in force to act vigorously from Fort Drane. Besides, Brigadier General Eustis has necessarily been compelled to wait for the South Carolina mounted regiment, which cannot reach St. Augustine before the day after to-morrow, and Volusia before the 12th.

If the column under Major General Gaines had fallen back upon Forts Drane or King, the right wing would have wanted nothing but subsistence, and the forces now in this vicinity, and known to be coming up, to act with vigor and effect. These forces are: 1. Three companies United States artillery, under Major Gates, which landed this morning, about 140 men, and which detachment has been more than eight days in coming from Savannah, by steam, through a most unusual storm. 2. Major Cooper's battalion of Georgia foot, about 320 men, encamped about 44 miles west of this, on the Fort Drane road. 3. A small battalion of Georgia mounted men, only about 140 strong, now waiting for orders at Garey's ferry, or Black creek, distant, by a direct route, (say) 60 miles from Fort Drane. 4. Captain Wharton's detachment of United States dragoons, about 90 strong, now in march from Savannah, and which may arrive at Garey's ferry about the 11th. These two small detachments of horse, are, on the above supposition, deemed of greater importance to the right wing than the two of foot, and I do not know that any part of the second battalion of mounted men, called for from Georgia, can now be expected; and, indeed, if this second battalion were to arrive with no better dispositions than were evinced by the mass of the first, I should regret its appearance.

The first battalion consisted of Captains Kenan's, Allen's, Douglass's,

Malone's, and Sweeny's companies. Less than 20 privates of Kenan's, and not one of Allen's, were willing to be mustered into service ; that is, to come under the rules and articles of war. Their zeal and patriotism had evaporated before their arrival, in the opinion of many of their officers, and in that of all the gallant men of the same State who remain. Allen's men, in despite of his patriotic exertions, deserted him, in mass, the morning after their arrival on the opposite side, and before I could get across the river. The mass of Kenan's company, the one first on the ground, also deserted. This officer's chagrin is as great as his intelligence and general merits. About seven of his men only, who were willing to be mustered, have joined the three remaining companies of the battalion. These (Douglass's, Malone's, and Sweeny's) showed better dispositions from the first. I visited their camp on the other side of the river four days ago, in a severe storm of wind and rain; and after a short harangue, every man of them answered to his name at the muster, and cheered the rules and articles of war that were duly read to them. This is the small battalion reported above as being now at Garey's ferry.

I pray I may be pardoned for accepting this battalion, the companies of which are greatly below the standard of 64 privates, whilst each has its full complement of officers, sergeants, and corporals. No two of the companies were willing to unite into one. I was obliged to have some mounted men for the right wing, and I knew not that another company would present itself from the same State. The 140 or 150 men thus obtained, added to the detachment of United States dragoons, may suffice till the right and left wings shall approximate in the direction of the Withlacoochee or the Ochlawaha.

About 16,000 rations, with a good supply of hospital stores, were despatched this morning to Fort Drane. The same wagons will return here or to Garey's ferry to be reloaded, and, in the mean time, both wagons and horses may be expected from Savannah to complete the baggage-train. None were brought by the two steamers which arrived last night. They brought Major Gates's detachment, corn, rations, &c., but no bacon. The latter is exceedingly wanted, on account of its lightness compared with pork, and also because it is greatly preferred by all the volunteers. Not a pound has arrived here, or at St. Augustine. This failure will demand an increase of not less than eight four-horse wagons. To add to my numerous vexations, the wagons reported to have been shipped at Baltimore, in the Arctic, have been left behind. As connected with the business of transportation, take this in connexion with the unexpected impossibility of navigating with common boats the Ochlawaha, and the extraordinary detention of both wagons and horses at Savannah, and it will be seen that human agents are as little to be relied upon as the winds and waves. All have fought powerfully against me. I am not, however, cast down. My exertions shall be the greater, and there is yet both means and time to prosecute the campaign to a successful termination.

The boat is about to depart.

In haste, I remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

I send no more troops, for the present, to Fort Drane, on account of the difficulty of subsisting them there. If Major General Gaines shall not fall

back on that point, it will be indispensable to wait for Captain Wharton. In the mean time it is easy to subsist the forces here and at Garey's ferry.
W. S.

Brig. Gen. R. JONES.

Adjutant General U. S. Army.

No. 69.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 4, 1836.

SIR: I caused a letter, dated the 2d instant, to be despatched to you by a return express that left us yesterday morning.

Before the arrival of the wagon-train from Fort Drane, endeavors had been made to put across the river a supply of provisions. The roughness of the river was *then* an impediment. The storm has since increased, and still continues. Even the little steamer (Essayons) that has been here these two days, can render but partial assistance. Her burden is very small, and yet she draws so much water (more than four feet) that she cannot approach nearer than some hundred yards the opposite shore.

Being informed that Garey's ferry, on Black creek, furnishes a much better landing, with tolerable storage, and that the road thence to Fort Drane is rather shorter, and less bad, than the route from the point opposite to this, I have ordered several schooners, now here, to proceed thither, and to discharge their cargoes of forage and subsistence for men. Three small companies of mounted Georgians, mustered into service yesterday, will return to that ferry, where they had left their wagons. It is my expectation to order the wagons (now to be sent to you) on their return from Fort Drane, to that place, to receive their second loads—say of hard bread, bacon, and small rations, with, perhaps, some corn; but, I am glad to perceive that the quartermaster, with you, estimates that about 3,000 bushels of the latter article may be obtained in the vicinity of Fort Drane. Please cause the whole amount of corn, estimated to be in the neighborhood, to be purchased. Including the United States dragoons, you will have, by the 17th instant, at least 250 mounted men, besides the horses of the baggage-train, to subsist; and corn is so heavy an article of transportation that I should be glad not to be obliged to send a bushel from this quarter, except for use upon the road. *Hay* I have never expected to transport by *land*, beyond two or three marches.

I still presume that Major General Gaines will be obliged to fall back on Fort Drane, which increases my anxiety to send the wagons (with some additions) loaded. I would prefer, much, that the force brought with him was back at Tampa bay, or rather that it had not marched from that place; *provided* that the movement fails to crush the enemy, or to terminate the war. The worst result, next to the loss of that fine body of men, or a third of it, would be mere success in driving the enemy into the lower country, where I suppose it would be almost impossible for us to follow—I mean *below* the waters of Charlotte harbor. Hence my indignation that an isolated attack should have been made from your vicinity, well calculated to produce that result; and at a time, too, when you knew, and Major General Gaines must have known, through you,

(and before,) that my plan, with ample means, was to move simultaneously upon the Withlacoochee, in three columns—from Tampa bay, the upper crossing on the Ochlawaha, and Fort Drane; so as to make it impossible for the enemy to escape to the lower country.

I have not yet supposed that Major General Gaines has not his retreat upon Forts Drane or King perfectly in his power. On account of subsistence, if he can cut his way through the enemy to Tampa bay, I should much prefer that his force should be there; and when I wished him to march or send that force to Volusia, it was because it could be infinitely more easily subsisted there than at Fort Drane. Should he, however, be in any difficulty in operating a retreat from the Withlacoochee, I certainly wish you to afford any succor that the slender means within your reach may allow; and this, doubtless, you would render, without any special permission to that effect. If the force return to Forts Drane or King, it must be subsisted for at least five or six days from the means derived from this place; and hence I *now* prefer that it should become a part of the right wing, rather than take that quantity of subsistence from you, and march back to Tampa bay.

Give me any intelligence you may possess as to the route from you to Garey's ferry—[near Whitesville, on Black creek.]

All the information obtained here and at St. Augustine represents the route from Volusia to the road between Fort King and Tampa bay as practicable for troops moving with wagons—certainly with pack-horses.

No troops have arrived here within two days. The United States dragoons are in march from Savannah. Two or three steamers with troops, wagons, horses, &c., have been expected these five days.

With great consideration, I remain, yours truly,

WINFIELD SCOTT.

To Brigadier General CLINCH,
Commanding, &c., Fort Drane.

No. 70.

HEADQUARTERS, ARMY OF FLORIDA,
Picolata, March 6. 1836.

SIR: Major General Scott is exceedingly anxious to hear the result of the operations on the Withlacoochee. The last intelligence from that quarter, through you, was only to the 29th ultimo.

Major Gates landed here this morning with three companies of United States artillery, about 140 strong. No horses and no wagons have arrived. Captain Wharton's detachment may arrive at Garey's ferry by the 11th. It is probable that this detachment and the 140 Georgia mounted men will be the only horse with the right wing; and hence Major Gates's and Major Cooper's battalions are detained near this depot until Captain Wharton shall approach nearer to the above-mentioned ferry.

A baggage-train, consisting of seventeen, four and five and twelve two-horse wagons, and six carts, set out for Fort Drane this morning, escorted by one company of Major Cooper's battalion of Georgia foot. They have with them 8,960 rations of hard bread, 8,537 rations of flour, 11,000 rations of pork, 8,000 rations of beans, two barrels of coffee, one barrel of

vinegar, eight boxes of soap, three boxes of candles, 5,000 flints, and a large supply of medical stores. In consequence of the extremely bad state of the road, particularly at this end of the route, it is presumed that from four to five days will be required for this train to reach you. General Scott hopes that it may arrive in good time, and the subsistence and stores in good order.

Under the impression stated to you in his last letter, General Scott wishes you, after giving the horses a reasonable rest at Fort Drane, to send back the best wagons and teams to Garey's ferry, to receive a further supply of subsistence and general stores for the right wing of the army. Should your better knowledge of the route between those places convince you that it will be more advantageous to send the train back to Bayard, (opposite this place,) you will please to do so, giving timely notice thereof to general headquarters.

General Scott bids me ask, Will it be necessary, in your judgment, to send an escort with the train from Fort Drane to Garey's ferry? He supposes not. But you will please, in this case, decide that point for yourself; and, should it be in favor of an escort, he suggests a detachment other than that which is now in march with the train. It will be easy, when the wagons shall be reloaded at Garey's ferry, to furnish an escort from that point back to Fort Drane. The South Carolina regiment of mounted men will, in all probability, have passed the river at Jacksonville by to-morrow night.

I have the honor to be, sir, with high consideration, your most obedient servant,

R. E. TEMPLE,
Lieutenant and Aid-de-camp.

To Brigadier General CLINCH,
Commanding left wing, &c. Fort Drane.

No. 71.

HEADQUARTERS ARMY OF FLORIDA,
Between Picolata and Garey's Ferry, March 9, 1836.

SIR: I have just set out for Fort Drane, *via* Garey's ferry, on Black creek, with two companies of regulars, and intending to take with me, from the latter place, the small battalion of mounted Georgians, (heretofore mentioned,) under the command of Major Douglass. Lieutenant Colonel Bankhead is at the head of the first detachment, and the two, together, may make a total of about 240; but even this small force may be important to rescue Major General Gaines.

I had not received the slightest information of the operations on the Withlacoochee (official or otherwise) of a later date than the 29th ultimo, up to this morning, and had concluded that he had effected his march, with more or less success against the enemy, upon Tampa bay; when, at daylight, the steamer that I am now in arrived and brought the rumor, which is confirmed by the two accompanying notes from Paymaster Lytle, received about six hours afterwards. On the reception of the rumor, I immediately commenced preparations for this movement; but being de-

layed by the necessity of unlading and relading the boats, I am now at anchor at the mouth of Black creek. I hope to put the troops in march from Garey's ferry early in the day to-morrow, and to reach Fort Drane with a small escort the day following. It is possible that even these little detachments of horse and foot may reach the Withlacoochee in time to render a valuable service.

I am aware that the movement I am making may be condemned, if regarded in any other light than a rescue, as premature. Colonel Goodwyn's mounted regiment only arrived at St. Augustine last night or this morning, and consequently the left wing cannot be in force on the Ochlawaha, in the direction of Pelaklikaha, earlier than the 17th, or up with the enemy before the 20th instant. Colonel Lindsay, who may have already arrived at Tampa bay, cannot operate more than two days' march from that place, from the want of the means of transportation—Major General Gaines having taken away the horses which were there, and the basis of the right wing is merged in the force brought by that general into the field, and must participate in his success or failure. If it fall back with him upon Fort Drane, it must suffer great loss; and if it follow him to Tampa bay, it will be wholly out of position.

In this, and even a greater state of uncertainty, I have been held since the 26th ultimo. The day after, I ordered back Major Cooper's battalion of Georgia foot, to prevent starvation at Fort Drane; and though daily, from that time, in the expectation of receiving from Savannah horses and serviceable wagons, not one has arrived. The quantity of subsistence that will be at Fort Drane (say) to-morrow, will only be that sent from Picolata on the 6th instant, viz: 17,497 rations of bread and flour, 11,000 rations of pork, (with beef-cattle in the neighborhood,) 8,000 rations of beans, some coffee, vinegar, &c. And the troops now about to proceed, perhaps as far as the Withlacoochee, will not have the means of taking with them rations for more than six days.

I beg leave to recapitulate the causes of my great deficiency in the means of transportation: 1. The wagons and horses which I knew Brigadier General Clinch to possess early in February have been more broken down by hard service and bad roads than I had expected to find them; 2. I had, upon what was considered in Georgia, and even at Picolata, the best information, confidently relied upon the use of the Ochlawaha, as late as the 2d instant; 3. No bacon has arrived, and the difference between it and pork, including wood and brine, is 50 per centum against the latter; 4. The wagons purchased at Charleston and Augusta, by Assistant Quartermasters L'Engle and Peyton, are generally poor, and many of them unserviceable; 5. The six or ten wagons actually reported to have been shipped at Baltimore in, I think, the Arctic, with Major Gates, were all left behind; 6. Of the 19,000 rations known to be at Fort Drane about the 25th ultimo, nearly the whole have been drawn by a force not expected by the Government or myself to appear in that quarter; and 7. Not a horse for the baggage-train, left by me at Savannah, or which I have since ordered to be purchased by Assistant Quartermaster Dimmock, has arrived in Florida.

On the 21st ultimo, when I was but 20 hours from Savannah, I sent back, by a steamer that was met, an order to Lieutenant Dimmock to ship about forty horses for the baggage-train to Picolata. This order was strongly reiterated, by a return steamer, five days afterwards; and again

on the 2d instant, by another boat, he was instructed to send immediately, and by the speediest conveyance, seventy horses for the train and six four-horse wagons. I had, this morning, a report from him saying, after he had received my first and second orders, that he had sent all the horses wanted for draught and packs by land, except a few which were to come as packs with Captain Wharton. Now, as the latter was about twenty-four days in New York, after receiving orders for Florida, and expected to remain so long in Savannah, he cannot be looked for in this neighborhood before the 18th or 20th instant. The other parts of the lot were, it seems, given as packs to the tenth company of South Carolina mounted men, and sent forward in a drove. They must, it is feared, arrive in a state unfit for the baggage-train (say) about the 16th instant. Such has been the failure of human agents. The weather has been equally adverse.

If the force on the Withlacoochee should fall back on Fort Drane, it will be seen from the foregoing, that a part, at least, must probably march upon Volusia or Garey's ferry, to be within reach of subsistence. Instructions have been left behind me to send forward rations, should the means of transportation arrive in time, and the troops already in the neighborhood of Picolata—Major Cooper's and the remaining company of Major Gates's battalions. I have, also, desired Brigadier General Eustis, in the same event, to order to Fort Drane two companies of mounted men of Colonel Goodwyn's regiment; and a fourth order will go back in this boat to Lieutenant Dimmock on the subject of horses and wagons.

Some rifles and the tents arrived this morning at Picolata; but Colonel Goodwyn had marched through six or eight storms without cover, and now all companies in march are to be reduced to three tents each.

I have the honor to remain, with respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. Army.

P. S.—Please remark that, in his letter to Brigadier General Clinch, dated at New Orleans the 2d ultimo, Major General Gaines speaks of “an *efficient co-operation* ;” promises to be “in readiness” at Tampa bay, “by the 8th of the present month, to form a *junction at or near* that place with the force under your command, whenever, *and as soon as*, in your judgment, *your force shall be sufficient to justify the movement* ;” and concludes by saying, “a sufficient quantity of ammunition and *provisions* have been transported to Fort Brooke, *to divide with you*, until further supplies are received ;” yet he did not wait till the brigadier gave notice that he was “in force,” came to Fort King, and swept nearly the whole of the subsistence collected at Fort Drane. A copy of that letter is in your office, and I now enclose one from Governor Eaton, from which it will appear that Major General Gaines knew, at Tampa bay, about the 14th ultimo, that I had been charged with the direction of the war. He first heard this at Pensacola, and received Governor Eaton's despatch at Tampa, as I can establish. Hence his haste and neglect of the assurances given to Brigadier General Clinch; his isolated attack, &c.

No. 78.

FORT DRANE, *March 5, 1836.*

SIR: I have been directed by General Clinch to inform you that your communications of yesterday's date reached him at this post after he had mounted his horse and was on the move, with the forces under his command, to escort supplies to General Gaines. He directed me likewise to say to you, that the distance from this point to Garey's (on Black creek) is about the same as the distance from here to Picolata.

As you may wish, however, to obtain all the information possible on the subject, I will take the liberty of adding, from my own knowledge, that the road from Garey's to this place is *sandy*, consequently almost invariably dry; while the road from Picolata here is muddy after heavy rains, particularly such as we have just experienced.

Colonel Gadsden arrived here from Tallahassee on the 4th, (yesterday,) and accompanied General Clinch this morning to the Withlacoochee.

Very respectfully,

J. S. LYTLE, *U. S. Army.*

Major General SCOTT, *U. S. Army,*
Commanding in Florida.

FORT DRANE, *March 8, 1836.*

SIR: By direction of General Clinch, I opened your communication of the 6th instant, which arrived late last night, in advance of the wagons. You will perceive by my letter of the 5th that General Clinch, with all the forces at this post, and one hundred mounted men from the vicinity, had left for Withlacoochee, to escort a small supply of cattle, ammunition, &c., to General Gaines, having received the night before a third express from that officer. No word has been received from either of these generals since the 5th. When General Clinch left here, he expected to be back on the 9th.

The probability is that the wagons will return without an escort, there being at present no troops here; and should General Clinch get back before the wagons depart, his men may be too much fatigued to march again immediately: but this, of course, is merely conjecture. I am satisfied, however, that General Clinch would advise that an escort accompany the wagons back to this place, when reloaded.

Captain Graham, being directed by General Clinch to send back the wagons for supplies after their arrival here, will send them to Garey's, it being the best road.

Very respectfully,

J. S. LYTLE.

Major General SCOTT, *U. S. Army,*
Commanding in Florida.

N. B.—The amount of General Gaines's last express to General Clinch, dated 3d instant, was merely copies of his previous letters, with a note, stating that the Indians were still around him, but little or no fighting had taken place since his last communication.

No. 73.

TALLAHASSEE, *February 24, 1836.*

DEAR SIR : I have received your letter and enclosure for Colonel Lindsay. To-morrow a despatch-vessel will proceed to Tampa, by which I shall send your letter, and hope it will find him there. Ten days ago General Gaines proceeded there, and immediately I forwarded General Scott's letter to me, and the Secretary of War's instructions, that he might be fully apprized. Since that time I have heard nothing from him.

At Tampa, as far as I am advised, there is a force now of about 1,200 or 1,400 men. An express from General Clinch, received last night, states his force at 458 rank and file ; in all 538. His provisions will serve about fifteen or twenty days—say to the 10th March. His transportation is twenty-seven horses, thirty mules, nine wagons, six carts.

It is important, I think, that General Scott should agree upon a day of moving, and by some despatch steamboat advise those at Tampa of the time of the day he will march, that both detachments may advance at one and the same time. The day should be fixed so prospectively that no time may be lost, or mistake be made as to the day of departure.

Say to General Scott I fear much his Volusia move : it is too low down in the swamps, and cannot, I apprehend, be passed securely. If he had moved from Picolata to Camp King, the country, being higher, would have afforded a safer and better march, and one, I think, equally advantageous to our military operations.

Colonel Fitzpatrick, Speaker of the Legislative Council of the Territory, will proceed to join General Scott from this place. He well knows the Cape country, is an intelligent man, and will render great service.

I write in great haste. Health and safety to you all, and kind regards to General Scott.

Yours,

J. H. EATON.

Major A. VAN BUREN.

No. 74.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, March 9, 1836.

SIR : A rumor has reached me this morning, brought by the Florida from Jacksonville, and to that place by a horseman, (citizen I presume,) that Major General Gaines was still on the Withlacoochee, and had been joined by Brigadier General Clinch, with the forces which were under the command of the latter ; that the two had been engaged, more or less, daily with the Indians ; and that the latter had a fort near the scene of those combats, which Major General Gaines intended to attack on the 6th or 7th instant. I have determined to move with such forces from this neighborhood, (say) Major Gates's battalion, and that of Georgia mounted men, as I may be able to find wagons for, in the direction of Fort Drane and the scene of operations, governing myself according to circumstances.

The great difficulties consist in supplying subsistence at Fort Drane, and beyond. On the arrival (say on the 10th) of the wagon-train despatched hence on the 6th instant, there cannot be full rations left for all the forces in that vicinity for more than a day or two, and the train took bread-stuffs for only about fourteen days for those forces. The pork (there was no bacon here) was but for a little more than half that time. To transport additional supplies, I cannot reckon upon more than two wagons (extra) at Garey's ferry, and one here, besides the ammunition-wagon and the one for general headquarters—I mean wagons to which we can attach teams; and for the ammunition, I shall be obliged to retain the wagon you sent over yesterday, which is now loaded with rifles for St. Augustine. Lieutenant Dimmock has not sent a horse by water, and not a wagon. Contrary to my reiterated orders, he has started the mules and horses by land; giving some as packs to one of Colonel Goodwyn's companies, (which, therefore, will bring no wagon,) some to Wharton, also as packs, and the remainder in (I suppose) a drove. Wharton expected to make good ten days in Savannah; consequently, I know not when the pack-horses will arrive. Some pack-saddles have come in the Florida. Lieutenant Dimmock had not received my letter of the 2d, by the Santee. That boat, like all the others, for ten days, has been delayed beyond all time. The Florida reports that she must have reached Savannah on the 7th. We shall see what effect the letter she carried will produce.

Perhaps I shall be able to find wagons only sufficient to take subsistence (say for ten days) for but two companies of Major Gates's battalion. I write in haste, and cannot make (yet) the necessary calculations.

I wish you immediately to despatch two or three companies of Colonel Goodwyn's regiment, under a field officer, to follow to Fort Drane, provided that you can furnish the means of transporting subsistence for the men, equal to eight days, and forage (corn only) for three or four days. If you cannot furnish the transportation without halting the movement of the left wing in its march to Volusia, then the two or three companies will be put in march as soon as you shall be able by the new arrivals of horses and mules to supply the above amount of transportation.

From the enclosed letter (a copy) from Governor Eaton, I begin to doubt whether the route from Volusia, either by the upper or lower crossing on the Ochlawaha, upon any point in the road from Fort King to Tampa bay, be as practicable for troops as we have heretofore supposed. I have relied upon you to obtain, at St. Augustine, the necessary information in relation to that route. I hope that you have satisfied yourself that it is practicable for wagons, or at any rate for pack-horses. Some pack-saddles will be left here for you.

Your arrangements for covering the plantations to the south of St. Augustine, and for scouring the country between you and Volusia, I have highly approved. Colonel Goodwyn's regiment having now arrived, I wish you to begin to concentrate on Volusia; and, as soon as your means of transportation will allow, to push forward as large a portion of your force as practicable to the Ochlawaha, at the upper or lower crossing, according to the choice of routes, and there establish a sufficient post; but before you shall have passed Volusia, I hope to be able to give you better *data* for the regulation of your march and operations beyond the Ochlawaha. If a practicable route can be found, I shall probably wish you to

march with your whole disposable force, after leaving the necessary garrisons for your small posts in the rear, upon either Okihumky, Pelaklikaha, or Chickuchatty, and extend that force a little to the right and left, (as far as prudence may permit,) as well to prevent the enemy from escaping to the southeast from the Withlacoochee, as to increase the chances of communicating with the right wing and Tampa bay.

These are the probable instructions which I may, upon better information, confirm from Fort Drane; and they are intimated in advance, to meet the possible case of my not being able to communicate with you again in any short time. In that event, you will proceed, if the route will permit, to carry them into execution, and as soon as your means of transportation will allow. I am aware that the latter are not fully equal to the occasion, and may, by the continuation of the series of accidents, not be sufficient in some time. I know, however, that all that may reasonably be attempted will be essayed by you, and I have every confidence in your zeal, as well as abilities. If you had the adequate means of transportation, and I were sure of the practicability of the route indicated, I should be absolutely certain of your executing the part assigned you, and in the shortest time. If in your march to the southwest you should open a communication with Colonel Lindsay, or any other officer junior to you, you will give him any instructions that you may deem necessary to harmonize his movements with the general views which you know me to entertain, and which may not be incompatible with recent instructions from general headquarters. Those views are, first, to pursue and beat the larger bodies of the enemy; and, secondly, to prevent, by all practicable means, the escape of that enemy into the lower parts of the peninsula.

Four companies of Major Cooper's battalion of Georgia foot will be left in position till sufficient means of transportation can be supplied. It will then be my wish that you put those companies in march for Fort Drane.

Captain Wharton's detachment of dragoons, which cannot arrive at Jacksonville or Garey's ferry before the 16th or 18th instant, is destined to take the same route. I shall leave instructions for its government at the one or other of those places.

I have just opened a letter from the Governor of Georgia, advising me of the march from Milledgeville, upon Colerain, Jacksonville, and Picolata, of another company of mounted Georgians. The march commenced on the 28th ultimo. I shall leave instructions here, subject to your control, for its government. My meaning is, that it shall not follow me to Fort Drane till it is known that at least 10,000 additional rations have been sent thither from Garey's ferry or this place, unless the company should bring with it the means of transporting with it subsistence for itself for at least ten days.

Please call for returns from the assistant quartermaster and assistant commissary left at this place. They both have my orders to make Garey's ferry the depot for further supplies which may be wanted, at and beyond Fort Drane, by the right wing. Please see instructions from me to the assistant quartermaster here, and permit him, as far as practicable, to carry the same into execution.

In great haste. I remain, with the highest respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier Gen. EUSTIS, *U. S. Army,*
commanding, &c.

P. S.—I set out this evening via Garey's ferry. Colonel Bankhead accompanies me at the head of two companies of artillery. Major Gates is left here as the commander of the post, for the present ; subject, of course, to your orders. The boat to communicate with Volusia has not arrived.

W. S.

No. 75.

HEADQUARTERS, ARMY OF FLORIDA,

March 9, 1836.

SIR: Of the wagons and horses that may be expected to arrive here, or at Garey's ferry, from Savannah and Charleston, I wish as many as possible, with reference to the wants of the left wing, (of which Brigadier General Eustis will be the judge,) despatched for Fort Drane, with subsistence for men. Hard bread will be sent in preference to flour, and bacon, should any arrive, in preference to pork.

Add, for each train, small rations, (say) one-third as many as you send bread. Should no bacon be on hand, let the number of rations of pork sent be in the proportion of two to three of bread, and one barrel of flour may be sent for every three of bread.

I wish you also to send to the same place, by the first train that you may despatch, a good proportion of the tools expected from Savannah—say saws, augers, and broad-axes.

It is probable that another company of mounted Georgians may arrive in a week at Jacksonville. Show this letter (or send a copy) to both Brigadier General Eustis and Major Gates, that one or other may send orders, in advance, for that company to proceed to Garey's ferry, and there await further orders.

The same thing of another company of mounted men, that may be expected from the same State. A company of mounted South Carolinians may also be soon expected at Jacksonville, destined for the left wing. I mention these companies to you in order that you may take measures to place forage at those places for them, as well as for Captain Wharton's detachment of United States dragoons, which is to march to Fort Drane. Being fully persuaded that Garey's ferry is the better depot for stores intended for the right wing, you will take care to keep it supplied with whatever you may think will probably be wanted.

The quarter part of the baggage-wagon train, lately sent hence to Fort Drane, was ordered to return to Garey's ferry, to be reloaded for the right wing. Events may prevent the execution of that order. Hence the instruction in the beginning of this letter.

In great haste, I remain truly yours,

WINFIELD SCOTT.

Lieutenant DUSENBURY,

Assistant Quartermaster, U. S. A.

The *Essayons* (steamer) is left under your immediate charge, principally for supplying the depot at Garey's ferry. Lieutenant Searight, assistant commissary of subsistence, is ordered thither ; he will, to any necessary extent, be subject to your instructions. All haversacks and nose-bags here must be put on board the *Florida* to-day.

Any haversacks that may arrive from St. Augustine must be forwarded by the earliest possible conveyance, and, if in time, by the wagon-horses about to proceed to Garey's ferry.

No. 76.

HEADQUARTERS, ARMY OF FLORIDA,
Garey's Ferry, March 10, 1836.

SIR : As an assistant commissary, you are placed on duty at this depot, and you are also charged with the duties of acting assistant quartermaster.

In the two capacities, with the assistance of Mr. Williams, or some other capable person, you are charged with the issue of subsistence and forage to all troops, volunteers or regulars, that may arrive here ; also, with the delivery of arms, ammunition, accoutrements, and other appointments, to such of the troops as may require them, within the regulations of the service.

Upon all those points you will correspond with assistant quartermaster Dusenbury, at Picolata, so as to keep this depot supplied with whatever may probably be required by troops passing on to the theatre of war.

Among the troops that may be expected soon to arrive, are four other companies of Georgia mounted volunteers. Such companies, as they successively arrive, you will regularly muster into the service of the United States, for ninety days, unless sooner discharged ; and cause the rules and articles of war to be read to each and every one. All this you will do by my authority ; and such are the instructions given to me by the War Department.

Those companies may probably arrive here without arms. Hall's patent rifles and some of the common rifles are at Picolata, and also some swords, and muskets in abundance.

Write to Lieutenant Dusenbury to send hither some of both kinds of rifles, and also some muskets—say about seventy-five of the latter. With the common rifle, sabres must be issued in equal numbers ; but Hall's having a bayonet, no sabre will go with them. Indeed, Lieutenant Dusenbury has, with the number here, not more than sixty or eighty left. Give the companies that may present themselves the choice of arms within your means of supply ; and also issue the corresponding ammunition, or powder and lead, in the case of the selection of rifles. Some three hundred or more haversacks and nose-bags will be sent to you very soon. Issue to each man either a nose-bag or a haversack, to carry the four days' provisions for himself, required by my orders for marching troops. Tents, at the rate of three per company, will also be allowed, and more for troops whilst here in camp. There are many tents at Picolata.

It is my wish and order that no company or companies that may arrive (till further orders) shall proceed hence to Fort Drane and the theatre of war, with the means of transporting, with it or them, less than eight days' subsistence for men. The reason of this instruction is founded on the fear of scarcity of rations in that quarter ; but, should the train, soon expected here to be reloaded, be sufficient to take 15,000 rations back to Fort Drane, then the companies may be allowed to proceed to that place, with the

means of transporting with them six days' rations. The train may be expected here in five or seven days, and by correspondence with Picolata you will hold yourself in readiness to despatch it back without delay.

I wish you to send not more than one part of flour to three of hard bread; and in pork, two-thirds as many rations as you send in bread and flour.

For the present, and until our means of transportation are better, you will send small rations, in the proportion of one to four compared with flour and bread.

Other supplies for Fort Drane may be directed, such as carpenters' tools, &c. Lieutenant Dusenbury has my general instructions on the subject.

Some rope for picketing horses, and for helping wagons over bad parts of the route, will be supplied to the wagons of the general train, and any wagon belonging to a detachment, according to your means.

Under the general instructions to me from the War Department, (a copy of which you have,) this place is constituted a place of issue to the distressed inhabitants of Florida. I can leave no officer here but yourself. You will therefore make issues under the printed instructions on the subject, and according to the spirit of those instructions.

If bacon should arrive here or at Picolata, I wish it to be sent to Fort Drane, instead of pork, and as many rations of bacon as of bread and flour.

In proportion to the difficulty of the duties assigned you, will, no doubt, be your zeal and energy in execution.

With respect, your obedient servant,

WINFIELD SCOTT.

To Lieutenant SEARIGHT,
U. S. A., &c.

No. 77.

HEADQUARTERS, ARMY OF FLORIDA,

Fort Drane, March 14, 1836.

SIR: On my arrival here, I found that the force which had been upon the Withlacoochee had fallen back on this vicinity.

Brigadier General Clinch, with some means of subsistence, and about 600 men (of whom 150 were mounted Floridians) joined Major General Gaines on the 6th instant. The force under the latter had already been reduced to the necessity of commencing on horses and dogs for their subsistence. After receiving that timely and important succor, the army remained in position till the 10th.

It may be remarked that, from the time of entrance into the intrenched camp, up to the retreat in this direction, not a sortie was attempted, and that, to save the pride of the higher officer, the command was relinquished to the next in rank, in order that he might give the order to retreat.

A copy of Major General Gaines's order yielding the immediate command of their joint forces to Brigadier General Clinch, is enclosed. This extraordinary paper I have but little time to comment upon. The poor sneer against me, as the *diplomatic agent of the War Department*, is in

character with all his recent acts; for, at the moment of the arrival of the succor, on the 6th, he had already opened a negotiation with the enemy, in which it is said, on good authority, he was willing to leave them in the *quiet* possession of the country below the Withlacoochee, until the arrival of "the diplomatic agent;" but in which Powell insisted that that river should be the *perpetual* boundary between us and the Seminoles. But for Brigadier General Clinch, I have no doubt some treaty, on the one or other basis, would have been formed between the parties. He alleged the positive instructions of the War Department against all negotiating, and he enabled Major General Gaines to save the original force with him. Not a sortie was made from the intrenched camp, from the time of its formation up to the retreat, and on the approach of the succor, a large detachment of the enemy had taken a position to intercept the retreat in this direction. How, under such circumstances, it can be alleged that the enemy *has been beaten*, it would be difficult to reconcile with facts.

I have every reason to hope that the enemy remains nearly in the same position as before the isolated, and, therefore, false movement of Major General Gaines. This is fortunate.

I have instructed Brigadier General Eustis, after scouring the country through which he will have to pass, to some extent, to place his column in position somewhere in the neighborhood of Pelaklikaha, about the 25th instant. Colonel Lindsay, by the same day, is to be with his force at Chickuchatty (about two marches from Tampa) and means are suggested to each in order to multiply the chances of communicating with each other. The right wing will move hence (say) on the 24th instant, to attack in front. This column will pass the Withlacoochee about half a mile below the late intrenched camp, where there is a good ford, and of which Major General Gaines might have availed himself if he had had the strength or inclination.

The 25th instant is appointed, in order that I may be certain of giving Brigadier General Eustis and Colonel Lindsay time to put themselves in position respectively, and further to give time for the harassed troops lately under Major General Gaines to recruit themselves for effective operations. The same interval is equally important to enable Brigadier General Clinch to receive from Picolata or Garey's Ferry the quantity of subsistence indispensable to give confidence to the movements of the right wing. I have time to add no more.

Enclosed are copies of the order of Major General Gaines, mentioned above, and of Brigadier General Clinch's letter to me.

With great respect, I remain your most obedient,

WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 78.

HEADQUARTERS, WESTERN DEPARTMENT,
Fort Izard, on the Withlacoochee, Florida, March 9, 1836.

ORDER No. 7.

1. Called to East Florida by the savage massacres and conflagrations of 28th December and the following month, the commanding General

hastily collected in Louisiana the forces which accompanied him from that patriotic State. These troops, in the short space of thirty-six days, have marched by land and water nearly eight hundred miles, one hundred and forty of which was through the country occupied by the enemy, whose principal force they have met, beaten, and forced to sue for peace.

2. These important objects of the campaign having been accomplished with the hearty and cordial co-operation of Brigadier General Clinch, (to whose sound judgment the defence of this frontier had been wisely confided, and by whose gallantry the enemy had been chastised on the 31st of December, and since held in check as far as his limited means would allow,) the troops from Louisiana are placed under his command, in order to guard against the known faithlessness of the enemy until the arrival of the forces under the officer charged with the diplomatic arrangements of the War Department. Whenever and as soon as that officer shall mature his plan of operations, and accomplish the duties assigned him, the forces from Louisiana will return to New Orleans.

3. The commanding General cannot, consistently with his views of propriety, take leave of the troops by whom he has been so manfully sustained, without tendering them his grateful acknowledgments for the constancy and courage with which they have performed every duty, and borne privations, the recital of which would not fail to command the admiration of the virtuous and wise of every section of the republic. The officers and soldiers of the whole of these forces (including the artillery from Tampa bay) acting as a light brigade, under command of Lieutenant Colonel Twiggs, of the 4th infantry, have performed their duty so much to the satisfaction of the General, that he cannot discriminate between the relative claims of corps, of officers, or other individuals, without the risk of invidious distinctions: all did their duty cheerfully and gallantly; and when it became necessary to meet the question whether to eat the meat of their own horses or to abandon an important position, all cheerfully preferred this unpleasant subsistence to any movement that would endanger the frontier—the horse-meat was accordingly eaten by officers and men, until the enemy was beaten and sued for peace. A timely supply of provisions arrived, escorted by the brave Georgians, Floridians, and regulars, under General Clinch, at the moment the pacific propositions of the enemy were in the act of being answered. The Indians were fired on by the General's light troops before he could be notified of the object of their being near the camp. They have since disappeared.

4. The General deeply regrets the fall of 1st Lieutenant J. F. Izard, of the dragoons, acting brigade major, and in command of the advance guard. He fell at the head of his corps, and though mortally wounded, had the heroic presence of mind to order "Keep your positions men, and lie close." 2d Lieutenant Duncan, of 2d artillery, was slightly wounded; Captain Saunders, commanding the friendly Indians, was severely wounded; Captain Armstrong, of the United States transport schooner *Motto*, was slightly wounded. The two last-named officers were in the advance, where their services had been highly useful during the march. Lieutenant Ephraim P. Smith, of Captain Williams's company of Louisiana volunteers, received three wounds. This officer and twenty-nine non-commissioned officers and soldiers of other companies of the regiment, evinced their gallantry by their good conduct, as well as by their honorable wounds. The Gen-

eral is convinced that he never commanded a finer corps : its chief would do honor to any service.

The officers of the medical department merit the approbation of the General for the attentive and skilful manner in which their duties were discharged.

List of killed and wounded.

Killed—1st Lieutenant J. F. Izard, dragoons	-	1
“ Sergeant F. Dunn of the 2d artillery	-	1
“ Private Z. Bolie, of Louisiana volunteers	-	1
“ “ Val. Beck - - - -	-	1
“ “ Henry Butler - - - -	-	1
		—Total 5
Wounded—of officers, non-commissioned officers, and privates :		
“ 2d artillery - - - -	-	8
“ 4th infantry - - - -	-	8
“ Louisiana volunteers - - - -	-	30
		—Total 46

By order of Major General Gaines :

GEO. A. McCALL,
Aid-de-camp, acting assistant Adjutant General.

No. 79.

HEADQUARTERS, RIGHT WING, FLORIDA TROOPS,
Fort Drane, March 12, 1836.

SIR : I returned last night from the Withlacoochee with the troops composing the right wing, Florida army. The troops turned over to me by Major General Gaines are stationed four miles in advance of this post, and with a little rest and recruiting, will be a very efficient force, and will add much to the strength of the right wing of the army of Florida.

The principal force of the Indians are still on the Withlacoochee, and it is my opinion they will remain there until driven from their strong hold by force.

The enclosed papers (Nos. 1, 2, 3, 4) will inform you of the principal occurrences that have taken place since my last communication to you.

I beg leave to refer you to Colonel Gadsden for further particulars.

I am, &c.

D. L. CLINCH,
Brigadier General U. S. A.

Major General W. Scott,
Commander of the Florida army.

No. 80.

HEADQUARTERS, ARMY OF FLORIDA,
Fort Drane, March 14, 1836.

SIR : On the 6th instant Brigadier General Clinch, with a considerable quantity of subsistence and about 600 men, (of whom 150 were mounted

Floridians,) reached the intrenched camp on the Withlacoochee. The troops there, without having made a single sortie, had already commenced eating their horses and dogs; and the enemy had a large detachment in position to intercept the retreat in this direction.

Major General Gaines had actually commenced a sort of negotiation with the Indians, in which he was willing to let them remain quiet below the Withlacoochee, until "the diplomatic agent of the War Department" (myself) should arrive; but in which Powell insisted on that river as the permanent boundary between the Seminoles and the whites. The arrival of Clinch put a stop to the negotiation; and the higher officer yielded the immediate command to the next in rank, in order that the latter might take upon himself the unpleasant, but necessary step, as was believed by both, of commanding a retreat.

The enemy, as is confidently believed, remains nearly in the position occupied on the 27th ultimo. This is fortunate; the recent operations require ten or twelve days to recruit for active operations. The same time is wanted to bring subsistence to this point, and perhaps to enable you and Colonel Lindsay to place your respective forces in position. The latter, by the way of St. Mark's, and direct from this place, is instructed to be at Chickuchatty by the 25th instant. On the same day I wish you to be at or near Pelaklikaha, to act as heretofore instructed.

Brigadier General Clinch, Colonel Gadsden, (who is with me and in my staff,) and others, think there is no doubt but that you will find the route to that place, from Volusia, perfectly practicable with pack-horses, if not with wagons. Take with you, accordingly, all the pack-horses expected at Picolata from Savannah, and you need not send to the right wing any part of the South Carolina regiments.

Colonel Lindsay is instructed, after gaining his position, to fire a gun (if he should have one) every morning at 10 o'clock, to multiply the chances of communicating with you. You will do the same, and at the same hour, for the double purpose of being heard by Brigadier General Clinch and the colonel. Clinch will be instructed (if he can take a gun) to do the same thing.

The instructions to the three commanders of corps is, in one or two particulars, the same—to pursue and beat any considerable body of the enemy; and next to that, if possible, to prevent any such body from escaping to the southeast.

When you and Colonel Lindsay shall have gained the positions mentioned above, I wish each to close upon the enemy in the rear, whilst he shall be vigorously attacked by Clinch in front. The latter will cross the Withlacoochee near the late intrenched camp, about thirty-five miles and southsouthwest from this place. The enemy is supposed to remain in the swamps or hammocks a little above, and on the left bank of the Withlacoochee, near the junction of the branches of that river; that supposed position is also called the *Cove*. I left orders with Major Cooper, and at Garey's ferry, that no troops should march upon this place without arriving here with at least six days' subsistence unexpended. It is now my wish that no detachment shall leave the neighborhood of Picolata or Garey's ferry before the 19th instant, for this place, and not then without the extra subsistence mentioned.

I wish you to retain the wagons and horses that may arrive in your vicinity, which may be indispensable to the left wing, and give the re-

mainder to the right. Many (in addition) will be wanted by Clinch. All the horses brought from Tampa are reported as utterly unserviceable, and by the time the wagon train that left here yesterday for Garey's ferry shall return, with their loads of subsistence, &c., many of them will be broken down. Five or six additional four-horse wagons (with their horses or mules) were required of Lieutenant Dimmock, in my letter to him of the 9th instant, besides the wagons expected from Baltimore, and the wagons, horses, and mules, previously required of that officer; that is, when I left Garey's ferry, about twenty four-horse wagons, five two-horse wagons, and, in all, 100 horses and mules, for the baggage-train, were expected to arrive from Savannah, at Picolata, St. Augustine, and Garey's ferry. You better know than myself what means of land transportation were then expected from Charleston. I wish not less than two-fifths of those expected means of transportation to accompany the troops which are to join Brigadier General Clinch, and the wagons to be principally loaded with provisions for men. No company is to be allowed to bring with it hither more than three tents; and beyond this point it is not expected to take half so many. You will make a similar calculation for your march from Volusia, and reduce the ration of hard bread to the old allowance, (twelve ounces.)

About the 19th instant I wish Wharton's United States dragoons, and one company (only) of Georgia mounted men, to be put in route for Fort Drane. Means of transportation being furnished for those companies, Major Cooper's battalion of Georgia foot will be next supplied, and put in march. Each detachment must bring with it extra subsistence for at least six days—taking enough for the march to this place on each horse or each man.

All the remaining wagons that can be spared, (say) from four to ten, I wish to be loaded, according to instructions left with Lieutenant Dusenbury and Searight. One of the wagons must be loaded with musket cartriges and some rifle powder.

If you should leave St. Augustine or Picolata before those several objects have been attended to, give the necessary instructions (to carry out my views) to the proper officers at St. Augustine, Picolata, and Garey's ferry. The route from the latter place to Fort Drane is rather less bad than that from Picolata. No escort is deemed necessary, except to aid the wagons in getting over the bad places in the route.

I left you an ammunition wagon in the place of the one brought with me hither.

If any thing material should occur, (and nothing is expected,) I shall write to you hence to Volusia *via* Picolata.

Wishing you success in your movements, and confident that, if it be possible, you will command success,

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General EUSTIS,

Commanding left wing.

P. S. Cause the troops to march here to be supplied with haversacks for subsistence for men, and cornsacks to be used in bringing forage on horseback. Order any remaining haversacks in wagons to this place.

W. S.

No. 81.

[Duplicate.]

FORT DRANE, *March 13, 1836.*

SIR: The plan of campaign against the Florida Indians is now sufficiently matured to enable General Scott to set in motion the right and left wings of the army under his command. The former, under the command of General Clinch, is now concentrating at Fort Drane, and will take up its line of march so as to be in position in advance of the Withlacoochee, or Amaxura river, at or near the late battle-ground, by the 25th of March. The left wing, led by General Eustis, and now on its advance to Volusia, on the St. John's river, will move from that point so as to be in position at or near Pelaklikaha, by the above date. With the force you will bring from Alabama, united with Lieutenant Colonel Call's battalion of Floridians, now at the bay of Tampa, it is expected you will be able to move one thousand strong, so that the centre may be prepared to co-operate at the above date with the right and left wings of the army, in its position at or near Chickuchatty. As there is no want of subsistence, or the means of transportation, at the bay of Tampa, it is confidently calculated that you will be able to march within the time designated. The route of your march you will select with discretion, having constantly in view the main object of the movement confided to your judgment—that of *preventing the escape of the enemy, or of its retreat towards the Everglades*, or supposed hiding-places of the savages in the thickets or jungles of the south. The Tampa road, to Fort King, may probably be the best route you can select until you have crossed the Hillsborough river, and have advanced to a point east of Chickuchatty, when you will move *west* upon that village. You will, on your march, keep a vigilant eye for Indian signs, and pursue any trail which may indicate the imbodying of a sufficient savage force worthy of your attention. As soon as in position at or near the Chickuchatty village, which, it is hoped, you will accomplish by the 25th of the month, you will fire, at 10 o'clock of each morning, a single gun, from a field-piece, until responded to from either the right or left wing of the army, when you may advance upon the lower Withlacoochee, keeping south of that stream, and so extending to the right as to be able to communicate with General Eustis, on the advance from Pelaklikaha, should he find it advisable and practicable to extend to the left; and thus, by a combined and judicious co-operation of the three portions of the army, enclose the Seminoles in their stronghold in the cove or big swamp of the Withlacoochee. If may be necessary, while in position at Chickuchatty, to examine carefully the hammocks near that village, and on your march, to reconnoitre and even explore the big hammock, near which you will necessarily pass, and which has been represented as one of the strongholds of the Indians, to which they may possibly first retreat, should their present position on the Withlacoochee be found untenable with Clinch in their front and Eustis on their flanks. It is not improbable that, should the Seminoles take the alarm on the advance of the right and left wings of the army, and retreat south, they may pass between the column commanded by you and that of the left under Eustis, before either of you have approached sufficiently near to admit of such flank extensions as to prevent it. In this event, they may pass to Pease creek, and, by the boats said to be on that river, and the facilities of its navigation, pass to Charlotte harbor; and from

thence, by Charlotte and the Coolosohatchey rivers, to the Everglades. To prevent this, it would be advisable, on your march from Tampa, to despatch the revenue cutters on that station, with such boats as the navy can afford, to Charlotte harbor, with orders to take such positions on those waters, and so blockade the rivers of that section of country, as to cut off most effectually all retreat to or communication with the glades of the south.

In the General Order of the 22d of February, you are assigned to the command of the centre of the Florida army, and this designation of your command is preserved in this communication, though you will readily perceive, in the movements now directed, you occupy the left, and, consequently, will operate on the left until, by a union of the whole force, you assume your originally assigned position in the centre.

Respectfully, your obedient servant,

JAMES GADSDEN.

Colonel Gadsden is in my staff.

WINFIELD SCOTT.

The Indian who delivers you this will receive from you a recompense of fifty dollars, as per agreement.

JAMES GADSDEN.

Colonel WILLIAM LINDSAY,
Commanding left wing, &c.

No. 82.

HEADQUARTERS, ARMY OF FLORIDA,

ORDER No. 13.

Fort Drane, March 14, 1836.

General Thomas Woodward, of Macon county, Alabama, is authorized, aided by Majors J. H. Watson and W. B. Flournoy, to accept the services of any five hundred Creek warriors, to be employed as auxiliaries in the present war against the Seminole Indians. Should General Woodward decline taking the command of these friendly Indians, Major Watson, assisted by Major Flournoy, will take the command of them.

The United States agents in the Creek nation will give every facility in raising and despatching the auxiliary force mentioned above. The force will proceed, by water, from the Creek country to Tampa bay, where, on its arrival, it will be reported to any general or colonel who may be in command in that quarter.

Commissions of course cannot be granted to the gentlemen who may be employed with this force; but the commander will be considered as having the rank of lieutenant colonel, the next officer the rank of major, and the third that of captain. Should more officers be requisite, one or two lieutenants will be recognised; but this will be a subject for future determination.

No. 83.

WAR DEPARTMENT,

Washington, January 21, 1836.

SIR: Major General Scott has been directed to assume the general direction of operations in Florida. Recent intelligence has led to the be-

lief that the Creeks have actively joined, or intend to join, the Seminole Indians in their hostilities. Should such prove to be the case, General Scott has orders to reduce the Creek Indians, as well as the Seminoles, to unconditional submission. In this event, you will be pleased to report yourself to him, and communicate to him all the instructions and information in your possession respecting the views of the Government on the subject of the removal of the Creek Indians. You will also carry into effect such instructions on this matter as he may give you.

Very respectfully, your obedient servant,

LEWIS CASS.

Colonel JOHN B. HOGAN,
Columbus, Georgia.

No. 84.

FORT MITCHELL, CREEK AGENCY,
February 1, 1836.

MY DEAR GENERAL : I have this day received a letter from the honorable the Secretary of War, of which the enclosed is a copy, from which I have learned that you are again the field, and that the important duty of subduing the Seminoles has been assigned to you, and that I am ordered to report myself to you, and receive and carry into effect such instructions as you may give me. Now, this is all news to me, and is perfect Hebrew, unless the Department meant, in a modest way, to say to me, Take a thousand of your Creek Indians and repair to Florida, and aid General Scott to subdue these rascally Seminoles. If this was their view, why not say so at once, and you should, in a very short time, have me again along side of you tugging at the old oar. I have no doubt but that I could, in ten days, raise you 1,000 warriors, and be on the march to join your army; and, in as many more days, be with you: all that is necessary is an order to that effect. But the Secretary seems to think the Creek Indians are hostile; this is not the fact: although some little skirmishing has taken place, on the Georgia side of the river, and some few lives have been lost on both sides; but a peace has been effected here to-day between two militia general officers, from Georgia, and the chiefs; and an agreement has been signed by all the chiefs present. I was fifty miles below here night before last, and, hearing of these murders, I came up yesterday, and to-day effected this peace, which I hope and trust will last at least until we can get them out of the country. I am using every exertion to effect this object, and have no doubt but I shall be successful, in a measure, in the course of this spring. A report is going the rounds of the public papers, that a large body of the Creeks have joined the Seminoles; this, you may rely on, is incorrect. I have recently visited all the lower towns, and there is none of their people absent; and you may rely on it, that, including all the stragglers that may have joined the Seminoles during the last summer, they cannot exceed one hundred, in all; but I am told that they are reinforced by a number of runaway negroes, who are decidedly the most active, keen, and intelligent fellows among them. Whatever their strength was before this war, their reinforcements cannot exceed 300 or 400, of every description.

In relation to the Creeks, there would be no difficulty in procuring their services, or in depending on them after they were procured. Whether, under existing circumstances, the Government would be willing to employ them against the Seminoles, is more than I can say; but, if they should, there would be no difficulty in procuring as many as you might choose to muster into service.

I have the honor to remain your friend and humble servant,

JNO. B. HOGAN,

Superintendent Creek removal.

Major General W. Scott,
Commanding in Florida.

No. 85.

WAR DEPARTMENT, *April 12, 1836.*

SIR: I enclose, herewith, an extract of a letter received from Colonel Hogan, together with a copy of one this day addressed to him.

As my views are fully expressed in the letter to Colonel Hogan, I need not trouble you with a repetition of them.

Very respectfully, your most obedient servant,

LEWIS CASS.

Major General Scott,
Fort King, Florida.

No. 86.

Extract of a letter from John B. Hogan to the Secretary of War, dated

TUSKEGEE, March 28, 1836.

SIR: At this council, Mr. John H. Watson, the same young man who commenced all the late disturbances at Columbus, by attacking a party of Creeks below Fort Mitchell, in which affair two white men were killed—this Mr. Watson came on the ground with a piece of paper purporting to be a copy of an order recently issued by Major General Scott, authorizing General Woodward, of this place, who is one of the new batch of emigrating contractors, to accept the services of any 500 Creek Indians, as volunteers. General Woodward declined making any efforts to raise volunteers, by stating that it was a well-known fact that he had no influence with the Indians, but if they were raised, and no better man could be found, he would go with them; but, as far as I could understand his open declarations, he appeared to disapprove altogether of the project, as it was his opinion that it would retard the emigration. Mr. Watson—who appears to be a wild, rash, inconsiderate young man—insisted that I was bound to raise the warriors. I referred him to Captain Page, as a military officer, and who was acting as superintendent; but he seemed to think that a word or two from me would induce the chiefs to jump at the offer. In the mean time I consulted Captain Page, who was decidedly opposed to sending Indians under the orders of such a man, and, indeed,

seemed to disapprove of it. I also consulted with Opothleholo, who said he did not want his people to engage in any such war at present; that he was anxious to get off for the West; but if the Secretary of War wanted his people to go, he did not wish them to go with men he did not know, and of course had no confidence in. Other chiefs told me the same thing. Mr. Watson continued to follow me about, and insisting that I must get him Indians to go; and, at last, he became rude and offensive. I then cut him short by telling him that if he had any communications to make me, to do it in writing, and I would in the same manner reply. I also consulted the emigrating contractors, who, I had reason to think, were pushing on Watson, and asked them, if the Indian warriors were raised, if they would give me, from under their hands, a relinquishment of any claim they might hereafter choose to prefer for damages on account of those Indians being carried to Florida. They said they would not give any relinquishment; but the Indians might go, if the War Department required their services.

Whatever inclination I might have to obey General Scott's orders—and certainly there is no officer I have ever served under that I more highly love and respect, and whose orders at all times afforded me more pleasure to obey; yet, in the present instance, I have deemed it most prudent to refer the whole matter to you. I can easily perceive General Scott's situation when he gave that order to those young men, Watson and Flournoy, who visited him at Picolata, and no doubt made a display of their patriotism and popularity among the Creeks, and urged the General to give them an order to bring into the field 500 Indians. The General, seeing but one side, and being pleased with their spirit, gave the order. You will see, too, that the order (a copy of which I herewith enclose) does not embrace an order on the commissariat or quartermaster general's department for subsistence and transportation, or on the ordnance department for arms, or their being mustered into the service of the United States; nor was it personally addressed to Captain Page or myself, nor would Mr. Watson vouch that it was a correct copy of General Scott's order, as he wrote it, he said, from memory. If it is desirable to have the 500 Creek warriors engage in this war, I have but little doubt they can be obtained, if proper persons are sent to command them; but I do not think that either Mr. Watson or Mr. Flournoy are the right sort of persons to be charged with such a command. I have no doubt of the bravery of either; but I should think that they lack the other requisites of a commander, viz: prudence, temper, caution, and experience. If, however, you wish the order complied with, it shall be attempted and enforced as far as my influence will go. In my first communication to General Scott I made a tender of my services, should he require Indians in this campaign; not having heard from him, I presume the Department would not sanction the employment of them, and thought no more on the subject. If, however, I am mistaken, I again tender my services to go as commander of such a body as the Department may order. A matter of that sort is much more to my taste than the duties now assigned me.

I have the honor to remain your obedient servant,

JNO. B. HOGAN.

Hon. LEWIS CASS.

No. 87.

WAR DEPARTMENT, *April 12, 1836.*

SIR: I have just received your letter of the 28th ultimo.

With respect to the employment of the Creek Indians under the orders of General Scott, I am unwilling to give you any definite instructions. I would rather that the campaign should be brought to a successful termination without the aid of the Creek Indians. Still, if, from the nature of the operations, this cannot be done without sacrificing our own troops to the unhealthfulness of the climate in the sickly season of the year, the Department will consent to have a corps of these Indians raised, if they are willing to be so employed. But the time which has intervened since the authority given by General Scott on this subject, and the great changes which may have occurred in the state of things in Florida, render it inexpedient to give directions here to have any measures taken. I think it is best that you should explain to the Creeks the views of General Scott in relation to the employment of these young men, and request them to have in readiness the force which he required to be called out, should General Scott again renew the requisition. In the mean time I shall communicate these views to General Scott, and refer to his own discretion the course which shall be taken.

I have to request your zealous co-operation in whatever measures General Scott may think necessary.

Very respectfully, your most obedient servant,

LEW. CASS.

Col. J. B. HOGAN,
Columbus, Georgia.

 No. 88.
TALLAHASSEE, FLORIDA, *March 7, 1836.*

DEAR SIR: Major Flournoy and Mr. Watson, of Columbus, Georgia, who will hand you this letter, has applied to me to receive into the service 200 Indians that he has conditionally engaged. It is a matter over which I have no authority, and accordingly have referred him to you. If, as I presume will be the case, the Indians shall betake themselves to hammocks and swamps, and seek for safety there, those Indians may prove highly serviceable in discovering their retreat; besides, as in war times neighboring tribes are not disposed to be inactive, they may join the enemy if you refuse to take them into your service. I should think, therefore, it would be most advisable to authorize those gentlemen to bring them to Tampa. The Chattahoochie river being now in fine order, they could very soon be transported in a steamboat to Tampa bay.

I have no news, either from the army or elsewhere. Our difference with France is adjusted, without war and without apology.

In this Territory, horses, nor supplies for them, could be procured; accordingly, one half, say 300, were sent to Tampa bay, under Major Read. About 200 are, or soon will be, on the frontier about the Suwannee, to guard against those marauding straying parties that may attempt any mischief there.

With great respect,

J. H. EATON.

Gen. WINFIELD SCOTT.

No. 89.

HEADQUARTERS, RIGHT WING, F. A.,
Fort Drane, March 13, 1836.

SIR: I have the honor to enclose you a letter from General Call, and to introduce to your polite attention Major Watson and Major Flournoy, of Georgia. These gentlemen came to me highly recommended. I am decidedly in favor of the plan proposed by Major Watson.

I am, with high respect, your most obedient servant,
 D. L. CLINCH,
Brigadier General U. S. A.

Major General Scott.

No. 90.

HEADQUARTERS, RIGHT WING, F. A.,
Fort Drane, March 13, 1836.

SIR: I have the honor to enclose to you a letter from General Call, and to introduce to your polite attention Major Watson and Major Flournoy, of Georgia.

These gentlemen come to me highly recommended, and I am decidedly in favor of the plan proposed by Major Watson.

I am, with high respect, your most obedient servant,
 D. L. CLINCH,
Brigadier General U. S. Army.

Major General Scott.

No. 91.

HEADQUARTERS, ARMY OF FLORIDA,
Fort Drane, March 14, 1836.

ORDERS No. 14.

In this vicinity, in the march from Volusia, and the march from Tampa bay, the ration of hard bread will be reduced to the old allowance of twelve ounces, and the ration of flour to fourteen ounces.

This allowance of bread or flour, if used with economy, will be found sufficient, and without care and economy, double the quantity might not suffice.

The commanding general will be most happy to extend the allowance the moment that our means of transportation shall permit. In the mean time the reduction is indispensable, to enable the three columns from Fort Drane, Volusia, and Tampa bay, to execute the marches which are soon to be attempted. All good soldiers will, no doubt, cheerfully submit to a regulation founded on the necessities of the service.

Colonel Gadsden, quartermaster general of Florida, is attached to general headquarters. All orders communicated by him, in the name of the general-in-chief of this army, will be duly obeyed.

By command of Major General Scott:

A. VAN BUREN,
Aid-de-camp, acting Assistant Adjutant General.

No. 92.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 15.

Fort Drane, March 16, 1836.

All the troops destined to reinforce the right wing, left on the St. John's river on the 10th instant, or which after that date may have arrived in the vicinity of Picolata or Garey's ferry, will march for Fort Drane as soon as they can be respectively supplied with the necessary means of transportation; but not earlier than the 19th instant. It will be sufficient if the several detachments arrive here on the 23d of this month.

As cavalry or mounted men are most needed by the right wing, the detachment of United States dragoons will be first supplied with the means of transportation; next, any company of Georgia mounted volunteers that may have arrived at Garey's ferry; and, thirdly, the remainder of Major Cooper's Georgia battalion.

Should there be more than one company of Georgia mounted volunteers at Garey's ferry, two may be put in march for this place, if it can be done by the 22d instant. All other companies or detachments will remain at that depot until further orders.

No company or detachment, whatever, will be put in march for Fort Drane, without the means of bringing with it to this place six days' subsistence for men over and above the consumption on the march.

This order will be communicated by Lieutenants Dusenbury and Seagrigh to the troops near them respectively, and rigorously carried into execution.

On every man and horse subsistence will be taken for each, sufficient at least for the march to Fort Drane; and not more than three tents will be allowed to a company.

By command of Major General Scott:

A. VAN BUREN,

Aid-de-camp, acting Assistant Adjutant General.

No. 93.*FORT DRANE, March 16, 1836.*

SIR: As the period approaches for the advance of the various wings of the Florida army to their previously assigned positions in the campaign, and more minute and accurate topographical information of the probable seat of war is acquired, it has been deemed necessary by the general-in-chief to communicate the contemplated operations more in detail to the commandants of the different portions of the army, so as to ensure that co-operation essential to a speedy and successful result. Measures have been sufficiently matured on the right, to enable General Clinch to move on his assigned position, in advance of the late battle-ground on the Withlacoochee, by the 24th instant; he will reach it on the 26th, and be prepared to cross the river and drive the enemy from his concealment in the cove or swamp of the Withlacoochee on the 27th or 28th of the month. It is confidently expected that the left wing, under your command, though now acting in the centre, and the centre, under the command of Colonel Lindsay, thrown upon the left, will be able to move in

time, so as to be in the respective positions assigned them at Pelaklikaha and Chickuchatty by the 25th of the month. The position of Pelaklikaha was deemed important, not merely from its topographical relations to the probable seat of war, on the waters of the Withlacoochee, but as the residence of Micanopy, the head chief of the Seminoles, and his negro population. Micanopy formerly resided at Ocahumpky, but this place has long since been abandoned, and Pelaklikaha is now the joint place of residence of the chief and his slaves. From the last advice he was at home, not anticipating, probably, a movement from the quarter in which your command is now concentrating. You will perceive, therefore, the importance, as you approach the Ochlawaha, of your making a rapid movement in advance, if only with your mounted men and light troops, so as to surprise, annihilate, or capture Micanopy and his negro allies. If successful, it would be striking an important and most effectual blow on the enemy. Pelaklikaha is about 15 miles from the upper crossing on the Ochlawaha; it may probably be 18 or 20, but cannot possibly exceed the latter distance. On your reaching Pelaklikaha, the commanding general, on reconsideration, deems it advisable that you advance your position west to the main road, from the bay of Tampa to Fort King, at or near the fatal battle-ground of Dade and his party. The distance from Pelaklikaha is about five or six miles, and at this point you will fire the signal at the hour each day, directed in a previous communication, until responded to from the other wings of the army, when you will be prepared to advance to that junction, which will close, it is hoped, the war.

On your reaching the road, you will not be more than 25 miles from where Lindsay will probably leave it in his march upon Chickuchatty; it will be advisable, therefore, that you push your reconnoitring parties or mounted men in that direction, to ascertain whether the enemy in any force have retreated by or across that route, and to intercept or pursue them if practicable. You will hold steadily in view that, as the object of the combined movement of the army in three divisions from three different points, all converging to a common centre, the supposed stronghold of the enemy, is to enclose, beat, and destroy him in that stronghold, so it is all-important to prevent his retreat, and force him to action. It is not probable that a retreat will be attempted by any other route from the cove or Withlacoochee swamp (should the enemy be found there) but eastwardly on Pelaklikaha, by the trail between the big and little Withlacoochees, which would throw him in your face; or by the Chickuchatty trail and big hammock, which will bring him in contact with Lindsay; or, by a route intermediate between your two respective columns. You will, therefore, perceive the necessity of vigilance, and such extension to the right and left as will enclose or shut up these avenues, and accomplish in the shortest time the objects of this campaign. As the relative positions of the columns under the command of Colonel Lindsay and yourself will not exceed in distance 40 miles, a distance which as you advance upon the cove, will be gradually shortened, it is thought such extension may be made, and such communication preserved between your respective commands, as to prevent all retreat, or at all events, to so watch the movements of the enemy as to gain the earliest intelligence of his retreat, and to ensure the speediest and most effectual pursuit upon his trail. Should the enemy effect escape between your columns, and a pursuit be deemed

advisable, it is expected that the earliest intelligence of the fact will be communicated to headquarters, and that no opportunity be lost of communicating as often as practicable with the general-in-chief, now with the right wing, as well as with Colonel Lindsay, operating on your left.

Arrangements have been made to procure, if practicable, a steamboat better adapted to the navigation of the St. John's than the Santee; but should the quartermaster fail in this respect, the Santee will be kept in the public service, so as to ensure a supply of provisions, &c., at your main depot, on the St. John's, even at the additional labor of lighting her over the bar of the lake. It is the wish of the commanding general that you will detain the boat at Volusia, on her last trip previous to your departure; so that you may communicate to him by expresses, the movements of the rear of your column on the march to its position in advance of the Ochlawaha. It is not improbable that after you are in motion, the commanding general will be able to communicate with you by express direct; and it is thought probable that you may have it equally in your power, by some Indian runner, to keep the general advised direct of your march. If so, it is expected that you will embrace every opportunity of doing so. For your better information, I add some distances, which may be important in shedding some additional light on the topographical features of the country, the seat of war, and of exhibiting the relative distances of the respective columns of the army when in their assigned positions:

Distance from Fort Drane to position in advance of the Withlacoochee from 30 to 35 miles, in S. W. or W. S. W. direction. From Fort Drane to Fort King, 25 miles, southeasterly direction. From Fort King to Palaklikaha, 40 miles southwardly. From Fort King to Dade's battle-ground on main Tampa road, 35 to 40 miles. From battle-ground to little Withlacoochee, from 7 to 10 miles. From little Withlacoochee to big Withlacoochee, 7 miles; to Elochuctu, where probably Lindsay will leave the main road on his march to Chickuchatty, 13 miles. To the Hillsborough, 10 miles; to Tampa, 23 miles. Both of the Withlacoochees, as well as the Hillsborough were bridged formerly. Those over the former stream have been destroyed, but the fords were passable by the last information received. The bridge across the Hillsborough had been injured, but will probably be repaired by Lindsay. Those over the Withlacoochees, should you be detained in that quarter, and it be found practicable, without too much labor, it may be important to restore to the former condition.

By order of Major General Scott:

JAMES GADSDEN.

To Brigadier General EUSTIS,
commanding left wing of the army of Florida.

No. 94.

HEADQUARTERS ARMY OF FLORIDA,

Fort Drane, March 20, 1836.

SIR: For the information of the Secretary of War and the General-in-chief, I addressed you a hasty note on the 14th. Nothing material has

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since occurred. This wing is waiting to give time for Brigadier General Eustis and Colonel Lindsay to gain their respective positions, Pelakli-kaha and Chickuchatty; for the arrival of the wagons sent hence to Garey's ferry for subsistence, the last of which may be expected by the 24th, with (it is hoped) some additional teams from Savannah, and for the troops from New Orleans to recruit their strength. All these objects I have good reason to hope will be accomplished by the 26th or 27th instant, although I have not had a line from Colonel Lindsay later than his letter dated at Mobile the 13th ultimo. In the mean time it is confidently believed that the great body of the enemy remains in the swamp or cove of the Withlacoochee, about the junction of its three branches, say thirty-five miles from this place. I send a topographical sketch of that vicinity, made by my aid, Lieutenant Johnston, from information received here, and principally from Colonel Gadsden, the quartermaster general of Florida, whom I have taken into the service of the United States and my staff, with that rank. His minute knowledge of the country and the hostile Indians, together with his general military intelligence, render him a valuable acquisition. I also expect to derive much valuable assistance from Colonel Fitzpatrick, the President of the Territorial Legislative Council, particularly if the war should be carried into the lower part of the peninsula, with which he is, perhaps, better acquainted than any other individual in the Territory. He is with me, and is well disposed to render himself generally useful.

You will receive with this copies of several orders. No. 13 was supposed to be necessary in order to be provided with the best kind of means to ferret out of the swamps and other hiding-places small parties of the enemy which may be expected to remain out after the great body of the nation shall be subdued. General Woodward and Majors Watson and Flournoy, mentioned in that order, are strongly recommended to me as suitable persons to direct the detachment of 500 Creek warriors. I trust that this step on my part may meet the approbation of the War Department. It seemed to me to be dictated by a wise discretion, and it will, probably, by abridging time, save many valuable lives from the effects of the summer climate of the lower country.

The order limiting the ration of bread or flour is the direct result of the want of sufficient means of transportation; and we shall probably be obliged to move hence on the 24th or 25th instant, with less than eighteen day's subsistence for this wing, which will consist of about 1,700 fighting men. No murmur has been uttered in consequence of that reduction in the ration. All are disposed to make any sacrifice which the good of the service shall demand.

I have discharged many individuals of the volunteer corps, for special reasons, generally on account of disability. Brevet Major Mountford, who had injured a foot, has been permitted to retire. The case of Lieutenant Colonel Twiggs requires a more particular notice. He was neither sick nor wounded. In the presence of Brigadier General Clinch, he demanded whether, if in the course of the campaign, one or more companies of any other corps should be adjoined to, or momentarily attached with the 4th infantry, under his command, brevet rank would take effect on such junction or detachment? I replied in the affirmative. He then said that there was some order or regulation which explained or differently construed the 61st article of war. My ready answer was, that I

knew of no order or regulation that was incompatible with that article, and that, if one were produced, conflicting with its plain meaning and import, I should deny its power to repeal an act of Congress. Lieutenant Colonel Twiggs added that he knew such would be my course, and that he would ask leave to retire to his post, (New Orleans,) as he was unwilling to be commanded by any brevet lieutenant colonel whatever, no matter what the circumstances. I expressed my unwillingness to lose his services, and said, as far as practicable, I would endeavor to respect his feelings; yet, if he chose to do so, to make his application in form, to the commander of the wing, (then present,) and that he should be indulged. Contrary to my expectation, I must confess that application was made, and the lieutenant colonel was off in an hour, via Georgia, and I should not be surprised to learn that he takes Washington also in his route to New Orleans. As this individual is generally believed to rely fully as much on his *political* as his *military* standing, to carry his particular objects, and as he had not got many miles on his route before he began to utter complaints against the general headquarters of this army, I have gone into a detail of the circumstances of his departure, and have to add another particular: Before Major General Gaines turned over the immediate command of the troops, then on the Withlacoochee, to Brigadier General Clinch, Lieutenant Colonel Twiggs took care to obtain from the former an order for New Orleans, to go *via* I know not what States and cities. Of this order I had heard not a syllable till after the departure of the lieutenant colonel; it was kept a profound secret from me, and I am now morally certain that the point presented to me about rank was but a pretext. I am, however, content that he is gone; the command of the 4th infantry has devolved on an officer at least his equal.

The two officers present, who, by the seniority of their brevets, might, in particular cases, have commanded Lieutenant Colonel Twiggs momentarily, are Lieutenant Colonels Bankhead and Foster. The latter is now the commander of the 4th infantry, aided by brevet Major Wilson, on duty as major.

As I am about to plunge deeper into this peninsula, and farther from the Government, there is another clamor, which, as I learn, is now swelling its peals against me in the rear.

It may be remembered that I reported two companies of Georgia mounted volunteers, with the exception of a fragment of one of them, as having refused to be mustered into the service of the United States—that is, as having refused to place themselves under the rules and articles of war. The first was commanded by the patriotic and intelligent Captain Kenan, and the second by Captain Allen. I saw neither of those companies; but both were amply provided for by the Governor of Georgia to the St. Mary's river; and there and at Jacksonville each found subsistence for men and horses, which I had caused to be deposited in advance, for all the Georgia and South Carolina mounted men. Captain Allen I saw for less than a minute after, as he informed me his company had refused to serve. As he assured me that he had used his best exertions to change the determination of his men, I expressed the sympathy I felt in his patriotic chagrin; and said that a company might, perhaps, be formed out of the well-disposed men of the two companies, and had my attention called off by the many instructions to be given to persons on board of a steamer then in the act of leaving the wharf, where the mo-

mentary interview took place. He added something about volunteering as a private; to which I replied, that *that* was not at all necessary to the vindication of his honor. A few minutes afterwards, I turned round to say more to the same effect to the captain, but he had disappeared, and I saw and heard not another word of him till I heard of his clamors against me at Jacksonville. This is the man whose *patriotic exertions* to induce his men to do their duty I reported both to the War Department and the Governor of Georgia! That report was founded solely on his word; and I had soon an opportunity of learning, from the gallant Georgians who remained, that he was as ready to desert as either of his men. His example, however, had no effect on the patriotic companies of Douglass, Malone, and Sweeny, of the same battalion; and, what is infinitely to its credit, none on the fine company of Captain Nelson, of the second battalion of mounted men, from the same State. This company marched with me from Garey's ferry, having treated with contempt the falsehoods of Captain Allen and the other deserters, whom it passed on the other side of Jacksonville. But it may be doubted whether the four other companies of Captain Nelson's battalion, a few days behind him, have been found equally determined. They had not arrived at Jacksonville on the 15th instant, and, according to a letter just received from Governor Schley, they ought to have been there by the 13th.

Whether the falsehoods of deserters will be credited against me by the Government or the patriotic State of Georgia, I know not. The gallant men of the same State who are in Florida, cannot be heard till the war is over. With these I am more than satisfied, and in their keeping I am confident that the honor of Georgia and the Union will be upheld.

Major Cooper, and four companies of his battalion, will, I am afraid, be compelled to remain on the St. John's longer than I could wish, for the want of the means of transportation. One company is here, (Meriweather's,) having escorted the wagon-train that left the St. John's on the 6th instant. The remainder of the battalion is, I learn, exceedingly discontented at not being among the foremost troops in battle. The unexpected arrival of the troops from New Orleans, and other causes, so frequently reported, as to the failure of the means of transportation, must be my apology.

Captain Wharton, I have just learned, had not reached Jacksonville on the 15th. I have but little hope of his taking any part in the campaign; although it is yet possible that he may be up in time. His detachment is much needed by this wing, which has only four small companies of mounted men, making a *total* of about 215.

Some wagons (six) and twelve horses arrived at Picolata from Savannah about the 12th instant; and a few horses as packs, with the last company of South Carolina mounted men, a little before. All those means of transportation were indispensable to the left wing.

Brigadier General Eustis, in a letter just received, doubts whether he can reach Pelaklikaha earlier than the 27th or 28th. The movement of the right wing may, or may not, be delayed a few days accordingly. This will depend on a calculation of Lindsay's movements and the amount of subsistence that may arrive by the 24th from below. The latter may be so small as not to allow of any delay here, as we must take enough to give the right wing time to beat the enemy and to march to Tampa bay. Without more wagons and horses from Savannah, we have no hope of

accumulating at this place, beyond the current consumption, more subsistence than we shall have on the 24th. Those calculations I shall rigorously make the moment I have despatched the express now in waiting. The right wing will take with it, on ox-wagons, two good boats, just constructed, for passing the Withlacoochee. Nobody here doubts that the enemy will be driven by this wing.

I have the honor to be, with respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.



No. 95.

HEADQUARTERS, ARMY OF FLORIDA,
Fort Drane, March 20, 1836.

SIR: We have good hopes that our wagons will be back here by the 23d or 24th instant, with subsistence enough to warrant a movement on the part of Brigadier General Clinch, the moment they do arrive. This prompt movement will be indispensable for two reasons: 1st. Colonel Lindsay will, in all probability, be in advance of Chickuchatty by the 26th; and if Clinch be not on the Withlacoochee by the 25th, the whole of the Indians might fall upon Lindsay. 2d. With his means of transportation, Clinch cannot expect to increase his amount of subsistence after the 24th instant; and it is indispensable that he should take enough to last him to Tampa bay or Volusia, allowing time to beat the enemy on the way.

If you cannot reach Pelaklikaha by the 25th, it may suffice if you are there by the 27th. The distance to that place from Volusia is not greater than was represented by Colonel Gadsden in his letter of the 16th instant.

Brigadier General Clinch is confident that Captain Drane can know nothing of the country southwest of Volusia, except from hearsay. He is accordingly ordered to his company.

Why did you not take Captain Dimmock's company with you? With it you would have five, independent of Merchant's, left at Picolata.

I reckon upon your being in force at Pelaklikaha by the 27th at the latest. The dry weather for the last ten days must have allowed the streams to subside, and, I hope, has favored the recovery of the troops from the measles. The sick and wounded in this wing are numerous. Not doubting that we shall soon meet, after a decisive success,

I remain, &c.,

WINFIELD SCOTT.

Brig. Gen. EUSTIS, *U. S. A.*,
Commanding left wing, &c.

P. S.—There is good reason to hope that you will find cattle west of Volusia, and towards the Withlacoochee perhaps some corn and rice.

W. S.

No. 96.

HEADQUARTERS, ARMY OF FLORIDA,
Fort Drane, March 23, 1836.

SIR: Your inability, duly certified, to perform the active duties of the field, has induced me to order you to Fort Marion or St. Augustine. But it is not my intention to limit your duties to the latter place. You can render important services also at Picolata and Garey's ferry. Accordingly you will frequently visit the two places last mentioned, and regulate every thing at both as the good of the service may require.

Picolata is the principal depot for the army in Florida, and Garey's ferry the particular depot for the supply of this place and the right wing. The right wing, however, may soon, if successful, be expected to derive its supplies from Tampa bay; and so may the left wing, which has moved by Volusia. Nevertheless, supplies will soon be needed here for the troops which will be left in the vicinity, and possibly to meet the case of the right wing being forced back upon Forts Drane or King.

If the campaign be successful, in a few weeks the troops of the right and left wings may be expected to pass Volusia on their return to the North or their private homes; besides the greater part of the regulars, all the South Carolinians and Georgians will take that route. Supplies of subsistence and means of transportation will be wanted at that place, according to their numbers, excepting means of transportation for the mounted men. The latter I shall probably order to march via Volusia, St. Augustine, and Jacksonville. An hospital tent and medicines and hospital stores will be greatly needed at Volusia. All those objects you will cause to be in readiness as soon as you shall learn that the campaign has been terminated.

Without further instructions, you need not put in march any company or detachment of troops which may now be in the neighborhood of Picolata or Garey's ferry, or which may arrive at either place after the date of this letter. Should any company (and three may be expected) of Georgia mounted men be now at those places, or subsequently arrive, you will muster them into the service of the United States for ninety days, unless sooner discharged, and detain the company or companies until further instructions.

In respect to the issues to be made to the distressed inhabitants of Florida, you will be governed by the printed instructions, signed by the Secretary of War, until further orders.

In the hands of Lieutenants Dusenbury and Searight, you will find my instructions on the subject of discharged or disabled volunteers. Please cause those instructions to be executed.

Of course, any orders that may reach you from Brigadiers General Clinch or Eustis will be complied with.

Wishing you a restoration to health, I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

To Lieut. Col. CRANE,
2d regiment artillery, Fort Drane.

No. 97.

HEADQUARTERS, ARMY OF FLORIDA,
Fort Drane, March 25, 1836.

SIR : I am instructed by Major General Scott to inform you that the right wing of the army will move hence to-morrow. The enemy is supposed to be still in his late position on the Withlacoochee, about two marches from this.

The copy of a letter from Brigadier General Eustis, reporting a skirmish between the advance guard of his column and a small body of Indians, I have the honor to enclose ; also, a return of the troops under the command of Brigadier General Clinch, to which are to be added four companies of Georgia foot, amounting to near 220 men. About that number of invalids will be left as a garrison for this post.

A despatch, dated the 10th of this month, has been received from Colonel Lindsay, reporting his arrival at Tampa bay on the 5th instant ; and another (both *via* Tallahassee,) dated the 12th, stating his design to march for Fort King, with a force of 750 Alabama volunteers, 300 Florida troops under Lieutenant Colonel Call, and 50 warriors, (say) 1,120 men. No information, however, of any actual movement from Tampa, by Colonel Lindsay, has been received.

Captain Wharton, with his detachment of dragoon-recruits reached this the day before yesterday. I enclose, by direction of the general, the report of that officer, containing his reasons for the delay in his arrival here. Major General Scott's remarks upon the report you will find endorsed thereon.

I have the honor to be, sir, your most obedient servant,

A. VAN BUREN,

Aid-de-camp, acting Assistant Adjutant General.

Brig. Gen. R. JONES,

Adjutant General U. S. A.

No. 98.

HEADQUARTERS, LEFT WING, ARMY OF FLORIDA,
Volusia, March 22, 1836.

GENERAL : Owing to a *misunderstanding* of my orders on the part of Brigadier General Bull, a part of my force, viz : Colonel Butler, with four companies of mounted men, and Major Kirby, with two companies of artillery, have not yet reached this place. I, however, hope to see them to-morrow morning. I have been engaged to-day in crossing my advance guard and baggage-train over the river. About an hour ago the guard (two companies) were attacked by a small party of Indians, (about 50,) and a brisk skirmish ensued. The enemy was soon repulsed. I sent more men over the river, (one company mounted,) and all are now in pursuit. We have had six wounded brought in ; none are yet reported killed ; none but the wounded have yet returned from the chase ; they report two or three Indians killed. I am obliged to send the Santee off for Picolata

for more horses *immediately*, that she may return to-morrow evening. I will report further by her next trip.

The only guide on whom I can in any degree depend, (Ben Wiggins,) is absent with Colonel Butler; still I think I can reach Pelaklikaha by the 27th instant.

I am, very respectfully, your humble servant,

ABM. EUSTIS,
Brigadier General U. S. A.

Major General Scott,
Commanding, &c.

P. S.—Our parties have returned from the pursuit unsuccessful; they have brought in three (sentinels) who were shot dead on their posts, (all Brisbane's.) With all the firing, I have no evidence that an Indian was killed.

No. 99.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 16.

Tampa Bay, April 6, 1836.

All the sick and disabled of the army will be sent as soon as practicable to the general hospital at this place.

Such of the invalids belonging to volunteer corps as are not likely to be fit for duty within their term of service, will, on the certificate of the proper medical officers, be honorably discharged by the commanding officer of Fort Brooke, as opportunities may offer to send them by water to a port the nearest to their homes.

The quartermaster's department will charge itself with furnishing the means of transportation, and consult the wishes of each individual as to the port of destination, so far as public economy may permit.

Individuals left in hospital will be duly treated and subsisted after their term of service shall be out, and, when fit to be put on board of a vessel, supplied with rations to the place nearest to their homes, as in the case of other discharged men.

Subsistence furnished to all discharged men will be duly noted on the respective discharges.

By command of Major General Scott.

JAMES GADSDEN,
Quartermaster General.

No. 100.

Statement of hard bread received from Lieutenant P. Morrison, A. C. S., at New Orleans.

Colonel Twiggs's requisition
for Louisiana militia.

1836.

February 10th,	Invoice No. 1,	166 barrels, containing	11,890 lbs.
March 1st,	" No. 2,	118 " "	8,615
March 4th,	" No. 3,	26 " "	1,725

Colonel Twigg's requisition
for Louisiana militia.

1836.

March 10th, Invoice No. 4, 164 barrels, containing	11,450
March 24th, " No. 5, 126 " "	9,518
Total,	<u>43,198 lbs.</u>

Amount on hand, April 8th, 1836—

182 barrels hard bread, at 70 pounds each, is 12,740 pounds.

Bacon—

Quantity received - - - - -	23,101
Issued - - - - -	1,500

Balance on hand, - - 21,601 lbs.FORT BROOKE, FLORIDA, *April 8, 1836.*GOUVERNEUR MORRIS,
First Lieutenant, A. C. S.

No. 101.

HEADQUARTERS, ARMY OF FLORIDA,

ORDER No. 23.

Tampa Bay, April 9, 1836.

It is indispensable that another regular surgeon should be placed on duty in the general hospital at this place. One will be immediately detailed for the purpose from the right wing.

Every regiment, battalion, or independent company, having sick in the general hospital, will, if it has not already been done, send attendants in proportion to the number of its sick. If there be more than twelve sick, two attendants will be supplied; if more than twenty-four, three attendants; and so on, allowing one attendant for every twelve sick men.

The attendants on the sick, to be left when the troops march, need not be effectives in the ranks. Individuals laboring under slight accidents or disabilities, though unable to march, are the proper attendants on the sick.

Every person in hospital below the rank of officer, whether sick or an attendant, is, for the time being, under the exclusive command and control of the medical officers. The latter are held responsible for the good order of the hospitals, as well as for the treatment and cure of the sick.

When the different corps next march, all invalids of every rank must be left at this place.

By command of Major General Scott.

No. 102.

HEADQUARTERS, ARMY OF FLORIDA,

ORDERS No. 26.

Tampa Bay, April 10, 1836.

The arms, accoutrements, ammunition, knapsacks, and haversacks, of discharged volunteers, and of the sick volunteers, (who are likely to be left in hospital at this place,) must be immediately collected and turned

over to Lieutenant McKenzie, the ordnance officer at the fort, who will take measures to have the arms put in condition for reissue to other forces which may soon be expected.

Commanding officers of regiments, battalions, and companies, will give prompt attention to the execution of this order; and so will the surgeons at the general and other hospitals.

By command of Major General Scott.

No. 103.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa Bay, April 12, 1836.

SIR: I have the honor to report, for the information of the Secretary of War and the General-in-chief, that I reached this place with the greater part of the right wing under Brigadier General Clinch, on the 5th instant. Brigadier General Eustis came in with half of the left wing the same day, and Colonel Lindsay, who commands the centre, the day before. This approximation of the greater part of the three columns was the result of no particular instructions. Each found itself compelled to come in for subsistence.

The reports of those principal commanders under me, are herewith enclosed, and marked, respectively, A, B, and C.

It will be seen that, although no general battle has been fought, many combats and sharp affairs have taken place; that the boast of Major General Gaines, that *he had beaten the enemy, and compelled him to sue for peace*, was but a vain imagination; and that, although he told the chiefs, who held him enclosed in a log pen until relieved by Brigadier General Clinch, that *the diplomatic agent of the War Department would soon arrive to settle (amicably) all differences*, not a white flag has been seen by this army, and not an overture of submission or peace heard of. On the contrary, the small parties which have been met with almost everywhere, have fiercely resisted, until put in danger of the bayonet. The war, on our part, is, in fact, scarcely begun.

It is not the fault of Clinch, Eustis, or Lindsay, that no important battle has been fought by either. Clinch marched from Fort Drane to the point on the Withlacoochee where Major General Gaines was checked, and thought himself compelled to fortify; the right wing, by an admirable movement, crossed the river at that very point without much molestation, notwithstanding the *bravado* of the enemy of the day before. The wing then passed the recent battle-ground of its brave commander, where again there was, for a moment, a slight hope of resistance, and then scoured *the cove*, (probably the strongest hold in Florida,) to the extent of seven or eight miles. From this point to Tampa bay, although the column passed through many of the enemy's favorite settlements, not a gun was fired. Several towns heretofore occupied by friendly Indians were left standing. All the others (and there were many) were burnt. In approaching this place, Clinch kept as far to the west of the Fort King road as practicable, in order to scour a district of country not before visited by our troops. He, throughout the march, commanded his column with judgment and ability; and at the principal combat on the 31st ultimo he

bravely dismounted and followed his troops above the knees in mud. No considerable *recent* trail of men, women, children, or cattle, was discovered in the march of more than 100 miles; and it is not believed that the enemy encountered exceeded one hundred and fifty. Colonel Gadsden, of my staff, by his superior topographical knowledge and general intelligence and activity, rendered important services to the column. The commendation bestowed by Brigadier General Clinch on other officers and other corps, I know to have been deserved.

The reports of Brigadier General Eustis and Colonel Lindsay will speak for themselves. I have every reason to repose the highest confidence in those able commanders. It will be seen that the former has, like Clinch, executed a long march through the heart of the enemy's country, and with only a few sharp affairs with small parties. The latter is also true of Lindsay, who marched from this place to a point beyond Chickuchatty (one of the enemy's principal settlements) about sixty miles, where he took a position and remained as long as his subsistence would permit, waiting for instructions from me, or a communication with Eustis. The three columns were for several days within thirty miles of each other. Owing to the direction of the wind, Clinch's column heard the signal-guns fired by the other two, but neither of the latter could hear any response.

From a careful comparison of all the information collected by the three columns, I am now strongly persuaded that not sixty of the enemy have been killed during this war, and that there have not been as many as six hundred imbedded at any one place. The signs about the Withlacoochee do not contradict these estimates; and it is the opinion of all the commanders that the Indians are now dispersed in war-parties, or parties of observation, consisting of from sixty to two hundred each, with, however, great facilities of concentration. The women and children are supposed to be concealed in certain places (which will be mentioned) and engaged, with a portion of the warriors, in planting, fishing, and hunting. The cattle found grazing in some districts, and particularly about Pelaklikaha, were numerous. Some were killed by Brigadier General Eustis for consumption; the remainder left for the future wants of the army. The two other columns found but few cattle, and all not three bushels of corn.

All the horses, draught, pack, and saddle-horses, arrived here much reduced. Many broke down on the routes; some died, and a greater number, belonging to the mounted men, have been mustered as utterly incapable of service. Some corn, about a bushel and a half for each horse, was brought from the depots—Forts Drane and Volusia; but the roads have been bad, the weather hot, the loads great, and the grazing indifferent—the Indians having, this season, but partially burnt the woods and savannahs. The ponds, too, on which all mainly relied for water, had, many of them, dried up; and on the return march, this inconvenience, without heavy showers of rain, (which will spoil many parts of the routes,) will be still more seriously felt. The long halt here has been for the purpose of recruiting the horses a little—corn and hay, though of an indifferent quality, being found in abundance. This forage has been sent from New Orleans by Major Clark, assistant quartermaster, under my orders of the 14th of February.

Many officers and men, besides the wounded, were broken down on the march. The measles early broke out among the South Carolinians,

and latterly in the Alabama regiment and Florida battalion. The mumps, too, have contributed to thin the ranks of the effectives. It will be seen by the returns, that the number of sick to be left here is unusually great, and many slight cases must be added to the sick reported ; for, in a country and a war like this, nobody can be left on the route. All must either march or be placed in the wagons, and every sick man is equal in weight, including his knapsack and firelock, to one hundred rations. Seven, or five men, where there are no roads, load up a four or two-horse wagon, even if the horses be in full strength.

Colonel Smith, with his Louisiana regiment, is now in two schooners, accompanied by the cutter Dallas, Captain Green, and with thirty-one days' subsistence, bound to Charlotte harbor, and the Meacca or Pease creek. On his arrival in that harbor he will be joined by Lieutenant Powell of the navy, who is there, in two boats, with a small party from the United States ship Vandalia. The schooners will ascend the creek some miles, and anchor—the cutter a little higher up. The troops will then land on the left bank of the creek, and, with the aid of the small boats and haversacks, take subsistence enough to last six or more marches. The day after to-morrow Colonel Goodwyn's regiment of mounted South Carolinians (about 500 strong) will march hence for the upper part of the same creek, and will be followed by the foot of Eustis's wing, at the distance of from fifteen to twenty miles. I shall, for particular reasons which will be developed, probably march with this column. The distance hence to the lake (Simmons) at the head of the creek is computed to be 43 miles. The object of this combined movement is to strike at the negroes, women, children, and warriors, who have settlements on the upper and lower part of the creek, and who are now in security, supposed to be engaged in planting, fishing, and hunting. The movement promises better results than we have yet obtained.

The term of service of the Louisiana regiment will expire early next month. When the expedition shall have terminated, the regiment will touch here, on its return to New Orleans, and take up its sick.

From Pease creek, Eustis's column united, will cross the St. John's, probably at Berrysford, if practicable, and proceed by Spring Garden to the depot at Volusia, having previously visited, if its subsistence will permit, the supposed settlements on lake Tohopkelika, southwest of Lake Monroe. On the arrival of this column at Volusia, the term of service of the South Carolinians will have so nearly expired as to render it improbable that they can be employed on any new expedition.

The right wing, under Clinch, will be put again into the field the day after to-morrow. It will march by the route it came over; absorb Major Cooper's battalion of Georgians, left fortified in the interior; re-enter *the cove* it scoured on the 30th and 31st ultimo, whilst Lindsay approaches it from above, and then march to the mouth of the Withlacoochee, (not yet visited,) and there receive from the vessels and boats to be sent from this place a fresh supply of subsistence for men and horses. On his way he will take up his boats sunk in a lake or pond near Camp Cooper. Having accomplished the objects of the march to the mouth of that river, he will either cross there or return to Blodget's ferry, at Camp Izard, with the boats, and return to Fort Drane, observing the right bank of the Withlacoochee, in ascending, as far as his renewed means of subsistence may allow. His force, however, will be much diminished at the mouth of the

river, for he will have instructions to embark the 4th United States infantry for this place; and if he crosses to the right bank, to embark the Florida battalion in one of the schooners for St. Mark's. He will then be left with three companies of Georgia mounted men, Major Cooper's battalion, two companies of Augusta volunteers, a weak battalion of United States artillery, and Captain Wharton's detachment of United States dragoons.

The term of service of the Georgians, just mentioned, will begin to expire on the 22d instant—Robertson's company having been mustered into service on the 23d of January; Bones's about the 1st of February; Cooper's battalion the 15th, (I think;) and the mounted men ten days later. The whole of these volunteers will be put in march for their homes as soon as they shall reach Fort Drane; the foot, by water from Garey's ferry or Picolata. The Florida battalion has a longer time to serve, but it is feeble—seven companies, and less than 200 effective men. It was mustered into service under the orders of Governor Eaton, with the companies far below (in privates) the legal standard.

Lindsay, with a feeble battalion of United States artillery, a company of Georgia mounted men, (Nelson's,) the Alabama regiment, and an independent company of Louisiana volunteers, (Mark's,) will march at the same time with Clinch and Eustis. He will be instructed to march into the forks of the Withlacoochee, and thence to penetrate, if practicable, the head of *the cove*, whilst Clinch enters below. Having scoured the country in that direction, he will return to the Fort King road, put Nelson's company of mounted men in march for Fort Drane *via* Fort King, and return with the remainder of his troops to this place.

The time of the Alabamians, and the independent company of Louisianians, will not expire as early as that of the other volunteers. Any thing that Lindsay may reasonably attempt, after being again compelled to return to this place for subsistence, he will be instructed to attempt. Besides the volunteers mentioned, he will have with him the battalion of United States artillery, and find the 4th infantry here from the mouth of the Withlacoochee. He will, when he sends his volunteers to their respective States, be instructed to leave the artillery here as a garrison, under Major Zantzinger; send a company of the 4th infantry, with 60 or 90 days' subsistence, to Key West; and keep the remaining companies here, or send them to Baton Rouge, as may seem best.

What may be accomplished by these new expeditions, I am unable to say. I have the highest confidence in the respective commanders, and do not doubt that they will be well supported by their officers and men. I am not, however, judging from the past, sanguine as to results. Some new settlements will be visited; the places of concealment for the enemy's women, children, and negroes, may be found on Pease creek, near the mouth of the Withlacoochee, and at the *head of the cove*, to which Clinch's column (we now have reason to believe) did not quite ascend. It is quite a labyrinth of ponds, hammocks, and savannahs, with small fields of pines. If the enemy's plantations of corn can be destroyed, together with his cattle, much will be effected, even if his negroes, women, and children should not be captured. The latter, however, it is most important for us to possess.

When the volunteers shall be sent home, if the war be not over, it is evident that the regular force (about 789 effectives) will be inadequate

to prosecute the war to any advantage, even if the season of the year would permit. I shall, therefore, feel myself compelled to place the battalion of artillery that marches with Clinch in defensive positions in the vicinity of Fort Drane, where we left, on the 26th ultimo, only the sick and invalids, with Gates's company of artillery at Fort King. The battalion of artillery that will march with Eustis, will be distributed on the St. John's and the Atlantic for a like purpose. Two companies (Dimmock's and Merchant's) were left at Garey's ferry, Picolata, and St. Augustine. Fort King, being 23 miles farther from any depot (with a practicable route) than the vicinity of Fort Drane, and covering nothing, I expect to abandon. Those views, however, will be modified according to the results of the expeditions which are sketched above.

The five hundred Creek warriors expected here early in this month have not arrived, nor have I heard a word in relation to my order on the subject since its date. They are no longer expected; should they, however, come by the time that Lindsay will be compelled, for the want of subsistence, to return to this place, he may, in conjunction with the other forces with him, employ those Indians to advantage. He will be instructed accordingly.

I ought to have reported from Fort Drane, that, learning from Captain Wharton and his officers that his detachment, generally, were bad horsemen, and, indeed, knew little or nothing about the care of horses, I caused a little more than fifty of the men to be dismounted, and the horses were turned over to the quartermaster, by whom they were greatly wanted. The remainder of the detachment (about 28) retained their horses, and marched with the right wing, with which they will return, together with the foot, under Captain Wharton.

I shall probably march with the left wing, (Eustis's command,) in order to be at Volusia and Picolata in time to regulate the discharge of the Georgia and South Carolina volunteers, and the distribution of the garrisons of regulars to the north of this, somewhat in the manner indicated above. It will give me the opportunity, also, of a freer communication with the Government, from which I have now been cut off since the 26th ultimo; for a letter cannot be transmitted from this place or any point in the interior, to Fort Drane or Volusia, without the protection of a strong detachment; and since my arrival, we have had no vessel that could be spared from the expeditions to the mouth of the Withlacoochee and Charlotte harbor, to transmit orders or communications to St. Mark's or New Orleans. This letter will be put into the post office at Pensacola by the United States transport schooner *Motto*, which will be despatched tomorrow to New Orleans.

We found here but one United States ship or vessel, the *Vandalia*, Captain Webb. He has shown the best dispositions towards the land service, and is about to aid us with two boats for the expedition to the mouth of the Withlacoochee. Two other of his boats, as has been stated, are now at Charlotte harbor. No cutter was found here. The *Dallas* came up from Lieutenant Powell a few days since, and is now gone back to co-operate with Colonel Smith. Captain Green, the commander of this cutter, is an intelligent and zealous officer. The cutter *Dexter*, Captain Randolph, arrived yesterday, and is to aid the expedition to the mouth of the Withlacoochee. He came in under the orders of Governor Eaton, whom she had taken from Pensacola to St. Mark's. The cutter

Washington, I understand, is now down in the direction of Pensacola ; I know not under whose orders.

The Motto would have been despatched earlier, but for the necessity of making for her a new rudder. Besides letters and orders, she will take a number of discharged volunteer officers and men, (sick and disabled,) to be landed at Pensacola and New Orleans.

My disappointments on the Gulf have been as great as those experienced on the St. John's. The latter were pretty fully reported at the time ; and, at the last dates, not a pound of bacon had arrived on that river or at St. Augustine. Those disappointments may appear to be mere trifles at Washington. I shall demonstrate the most serious influence that they have had on the operations of this army.

First, let it be remembered that one hundred horses will take hard bread and bacon (say) for 1,000 men, sufficient to subsist that force as long as the quantity of pork and flour taken by 150 horses would subsist a like force : that is, the difference between pork and flour on the one hand, is just fifty per centum, compared with bacon and hard bread, in favor of the latter. Secondly, let it be remembered that the deficiency in our means of transportation was sufficiently great, independent of the addition to the weight to be drawn, created by the necessity of loading the wagons with flour and pork. Besides, all southern volunteers prefer bacon to pork, and no troops can, in the woods, convert flour into wholesome bread. Both time and means are wanting.

Some hard bread arrived in time on the St. John's, but not enough. Thus the last rations of flour and pork, consumed by Clinch's wing, the day it arrived here, had been drawn from Garey's ferry, a distance of 165 miles. Eustis's wing had also to bring with it pork and a portion of flour, owing to the deficiency of hard bread on the St. John's.

Please now refer to my joint letter to the quartermaster and commissary at New Orleans, dated at Savannah, February the 14th, and acknowledged on the 26th of the same month. A copy was transmitted to you for the information of the proper departments at Washington. The letter, it will be seen, is specific and urgent. Yet, instead of my finding here about 150,000 rations of hard bread, and about 90,000 of bacon, I found but 12,740 pounds of the first, and 21,600 pounds of the latter ! Not an additional ration of either has arrived since I came. Colonel Lindsay had required, for the use of his column, of the quartermaster at New Orleans, a number of wagons and horses ; and not one has been sent. Again, the sutler (the person next in importance to the quartermaster and commissary with every army) left this place more than a month ago for New Orleans, to bring back with him a large supply of goods for the troops which were expected. Those supplies are exceedingly wanted by every officer and soldier. But the quartermaster writes that he *hesitates* about sending the wagons and horses ; and the sutler, that he *declines* sending his stores, because each has heard of Major General Gaines's triumphal entry into Tallahassee, in consequence of his having finished the war !! It is presumed that the commissary at New Orleans stopped the shipment of bacon and hard bread for the same reason.

Captain Green, of the cutter Dallas, was at Tallahassee when Major General Gaines arrived at that place. He had been ten days soliciting permission to go and make a survey of the mouth of the Withlacoochee. On renewing his application to some one in the Territorial Government,

he was told that the war was over! We have now to make the survey for the expedition that has been mentioned. These are the new disappointments and vexations that I have been doomed to experience.

In connexion with the strange imagination that the war was finished at Camp Izard, it may be remarked that Major General Gaines put himself under an escort of some mounted Floridians, to take him from Fort Drane towards the Suwannee; and that Lieutenant Colonel Twiggs, a few days afterwards, although he asserted, with Major General Gaines, that the war was over, did not deem it *safe* for him to take the Tallahassee route. Colonel Gadsden, and two other gentlemen, came to Fort Drane ten days before in perfect security, over that very route, and *before* it was imagined that the war had been brought to a happy conclusion.

In respect to hard bread, it is proper to state that, besides the 12,740 pounds mentioned above, we have about 7,000 pounds brought from Mobile by Colonel Lindsay. The commissary at New Orleans is entitled to no credit for this small supply.

Among other Orders, a copy of No. 24 will be found enclosed. The friendly Indians made many difficulties; but I finally told them that they must embark, and Lieutenant Harris has just reported that the whole (399 souls) are actually on board. About a third of the number are warriors. A few (two or three) are retained as guides, and a small number were left at Fort King.

April 13. Since writing the above, I have been forced, from our ignorance of the mouth of the Withlacoochee, to modify the instructions given to Clinch. From Camp Cooper he is instructed to take a trail that we observed (coming down) which leads into and towards the head of *the cove*. This will bring him near to Lindsay, who will operate between the Withlacoochees, and north of the smaller. The two columns will probably meet or be near enough to each other for the 4th United States infantry to pass to Lindsay, in order to return to this place with him. It is, consequently, now probable that I shall march with Lindsay instead of Eustis, and pass on with Clinch from Pelaklikaha, *via* Forts King and Drane.

After a fuller examination of Indians, (friendly and prisoners,) together with persons *called* guides, and comparing the information so derived with Colonel Gadsden's knowledge of the country, Eustis will be instructed, after he shall have scoured the upper parts of Pease creek, to visit lake Tohopkelika, (southwest of lake Monroe,) then turn to the north, pass to the east of lake Eustis, strike his late trail, and return to Volusia. It is hoped that his means of subsistence will enable him to accomplish the *march*, and the important objects connected with it.

The vessels and boats prepared for the mouth of the Withlacoochee will take Major Read and his Florida battalion to that place, whence he will survey the mouth, and examine the river to a point as high as practicable. The battalion will then embark on board a schooner, and return direct to St. Mark's.

The rudder of the schooner *Motto* not being finished, I shall despatch the cutter *Dexter* with this and other letters to St. Mark's.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brig. General JONES,

Adjutant General U. S. A.

No. 104.

A.

HEADQUARTERS, RIGHT WING, FLORIDA ARMY,

Camp Georgia, April 8, 1836.

SIR: I have the honor to submit a report of the operations of this wing of the army since marching from Fort Drane on the 26th ultimo.

On that day it consisted of the following forces, viz: artillery, 450; 4th regiment infantry, 270; Wharton's dismounted dragoons, 57; two companies Augusta volunteers, 171; Smith's regiment Louisiana volunteers, 469; Cooper's battalion Georgia volunteers, 321; and four companies Georgia mounted men, 230—aggregate, 1,968. Two six-pounder cannon, with a wagon-train and pack-horses transporting provisions for 15 days, (besides three days in the haversacks,) with the least possible quantity of equipage, not more than three tents being allowed to companies of any size.

The route was in the direction of Camp Izard, on the Withlacoochee, the point at which the enemy would most probably be found, as on all previous attempts to cross that river he had defended the passage with such pertinacity as to lead to the belief that his stronghold would be found in that vicinity.

It was only by the great exertion of the whole force that the wagon-train could be passed over the route, the road being new, and the country wet and deep, so that much of it was obliged to be laid down with logs. The wing reached Camp Izard on the morning of the 28th, and soon after the enemy gave notice of his presence on the opposite bank of the river, by firing into our camp. Preparation was immediately made for forcing the passage in boats, which had been constructed at Fort Drane for the purpose, and brought along with us.

Colonel Gadsden, quartermaster general of Florida, acting inspector general, who, throughout the march, displayed great zeal and intelligence, reconnoitred the ground, and selected the point of crossing very judiciously.

The details having been prepared, the river bank was occupied at 4 o'clock on the morning of the 29th by sharp-shooters and the two pieces of artillery, and at daylight the advance (companies A and G, 2d artillery) crossed in small detachments under the command of Brevet Major Zantzinger. I must here take occasion to mention an act of personal gallantry on the part of Foster Blodget, a private of the Augusta blues, who volunteered to swim the river, and attach a rope to a tree on the opposite side, which greatly expedited the first crossing. After the two companies of the advance had possessed themselves of the southern bank, they were followed by the regiment of Louisiana volunteers, and the 4th regiment United States infantry.

A sufficient force having thus been thrown across to maintain the position, the whole train was passed in the course of the day. Two companies of mounted men had, in the mean time, crossed at a very difficult ford $1\frac{1}{2}$ mile below; another swam the river near the ferry. All the train being over, the rear division was crossing, under the command of Lieutenant Colonel Bankhead, when it was attacked in rear, but the enemy was driven off by two discharges of the six pounder under Lieuten-

ant Brooks, and a volley from the rear guard under Captain Belton. Except this attack, the passage was unmolested. The enemy fired a few shots into the camp during the night from the northern side of the river.

On the morning of the 30th, the wing proceeded up the river in search of the enemy, and at 10 o'clock he was discovered in small numbers on an island in a chain of lakes running nearly parallel with the river. The baggage-train was drawn up in compact order, and left with a guard of 300 men, and the troops advanced to attack. The enemy, however, retired, and pursuit was continued about four miles, when, as it was growing late, the wing encamped. Marched early on the morning of the 31st, and soon discovered the enemy on another island. It will be proper here to remark that the chain of lakes before mentioned is spotted with islands of dense cypress swamps and hammock growth (whence the Indian name Oloklikaha, Spotted Lake,) as was afterwards discovered on our march, nothing of the topography being known to us at first.

Dispositions were immediately made for attack by the right column, under Colonel Smith, on one end of the island, and by the left column, commanded by Lieutenant Colonel Bankhead, under my own observation, on the other. The approach at both points was impracticable to any but infantry troops, and extremely difficult to them; the island being surrounded by a very broad and wet savannah, and so boggy that it was not without great efforts that men could struggle through it.

As the head of the right column approached the firm ground, it was met by a sharp discharge from the enemy's rifles, but, dashing forward, he was soon dislodged, and pursued for the distance of three or four miles, when he was driven across the river, and the column halted and remained on the bank of the river until recalled, an hour afterwards. Colonel Smith and his command conducted with great spirit and courage throughout.

In the pursuit which succeeded the first charge, that portion of the right column composed of the 4th infantry, Wharton's dragoons, and two companies of Louisiana volunteers, under the immediate command of Lieutenant Colonel Foster, became several times engaged, whenever thick cypress or hammock growth favored the enemy; but in every instance he was promptly expelled and pursued. Lieutenant Colonel Foster speaks in very high terms of his officers and men, and mentions particularly the conduct of Lieutenant Barron, adjutant of the Louisiana volunteers.

The left column approached the island simultaneously with the right, and was received with a hot discharge from the enemy as soon as it arrived within rifle-shot of the hammock, and at the moment when the advance under Major Cooper, of the Georgia volunteers, was plunging through a deep and difficult morass. A few discharges from a six-pounder, under Captain Miller, which had been forced to the edge of the morass, silenced the enemy—when the advance, with the 1st battalion of artillery and Captain Robinson's two companies, which had, in the mean time, formed to the front, charged the hammock, and the enemy fled. Active pursuit was made for two miles, until the left came up with the right column, when, finding it impossible to penetrate the cypress swamp on its left, towards the river, it halted. Lieutenant Colonel Foster had taken the only trail leading in that direction. Colonel Bankhead reports that his battalion conducted with great zeal and promptness.

Finding it impossible to follow the enemy across the river, and being

for 24 hours without provisions, the troops returned to the baggage-train and encamped.

April 1. Marched along the lakes lying between us and the river, and reached the next morning what appeared to be their southeastern termination, and established a post of observation under Major Cooper, with his battalion, leaving him 17 days' provisions, and reserving only enough to subsist the wing for five days, proceeded to Tampa bay for further supplies, where it arrived on 5th April, after a difficult and fatiguing march, being obliged to make the road the whole distance.

The fatigue and exposure of the march increased the sick-list to 150. Subjoined is a return of killed and wounded in the battle of *Oloklikaha*:

	Killed.		Wounded.
Artillery,	0	-	2 privates.
4th infantry,	0	-	1 do.
Dragoons,	1 private,	-	0
La. volunteers,	3 do.	-	4 do.
Cooper's battalion,	0	-	2 do.
	<hr/> 4 killed. <hr/>		<hr/> 9 wounded. <hr/>

C. M. THRUSTON,
Captain A. A. A. General.

The officers of my staff were fully efficient, and carried out with great promptness the dispositions which the circumstances required.

D. L. CLINCH;
Brigadier General U. S. Army.

Maj. Gen. Scott,
Commanding.

No. 105.

B.

HEADQUARTERS, LEFT WING, ARMY OF FLORIDA,
Fort Brooke, Tampa Bay, April 10, 1836.

GENERAL: In compliance with your directions, I proceed to detail the operations of the left wing of the army, from the arrival of the forces at St. Augustine.

On my arrival at St. Augustine, on the 15th of February, I was informed that the whole country between the St. John's and the seacoast was in possession of the Indians, and that small bands of them were ranging in all directions, burning houses, and driving off the cattle. I therefore proceeded without delay to establish a chain of posts, at intervals of from ten to twenty miles, extending south as far as the Mosquito inlet, in order to cover the southern plantations, and to scour the intervening country, and to drive off the predatory bands of savages. Owing to the extreme difficulty in procuring guides, this latter duty was not as effectually performed as I could have desired, and we doubtless left some small par-

ties of Indians in our rear, when the troops were withdrawn from the Atlantic coast.

On the 9th of March, Colonel Goodwyn's regiment of mounted volunteers from South Carolina reached St. Augustine.

On the 10th, three men of Colonel Brisbane's regiment were killed, within two hundred yards of his intrenchment at Tomoca, and the enemy had scalped them and fled before he could sally out upon them.

On the 15th, the several detachments of my column were put in motion via Tomoca to Volusia on the St. John's, and on the 22d all had reached that point except Lieutenant Colonel Butler's battalion, and two companies of artillery under Major Kirby; both of which parties had operated as far south as Smyrna. The route from Tomoca to Volusia was found nearly impracticable, and was only accomplished by the most persevering exertions, and to the great injury of wagons and horses.

On the 22d of March, I commenced crossing the St. John's; about 3 o'clock P. M. my advanced guard on the west side of the river (consisting of Ashby's and Fripp's companies of Brisbane's regiment) was briskly attacked by a considerable party of Indians. These companies maintained their ground with great gallantry and steadiness, until reinforced by two others (Henry's and Hibbla's) under Colonel Brisbane, when, a charge being made, the enemy was repulsed at all points, and fled to his fastnesses. In this encounter our loss was three killed and nine wounded. Although we found only one Indian dead on the ground, I had satisfactory evidence of four others being thrown into the river.

On the 24th, a subaltern's command of mounted men fell in with a party of twelve or fifteen Indians in the open pine land, killed two, and might have destroyed the entire party but for the misconduct of the lieutenants in command.

On the 25th, my whole (consisting of four companies 1st regiment artillery, under Major Kirby, Colonel Goodwyn's mounted regiment, Colonel Brisbane regiment, (foot.) and Captain Elmore's Columbia volunteers) was concentrated; and on the 26th, leaving two companies of Brisbane's regiment at Volusia, under the command of Major Gates, United States army, with the wounded and sick, I commenced my march for Pelaklikaha, by the upper crossing of the Ochlawaha, at the head of fourteen hundred men, and with thirteen days' rations. The first part of my route was so difficult for my wagons that, with every exertion of men, as well as horses, I had, on the evening of the 27th, progressed only seven miles. As we advanced, however, the country became more favorable, and with the exception of being obliged to build bridges over the Ochlawaha, the Withlacoochee, and one intermediate stream, I found no serious obstacle to impede my march to this place. On the 29th, after crossing the Ochlawaha, an Indian of some note, Ayah Hajo, was killed by the gallant General Shelton, serving as a private volunteer, who was himself severely wounded.

On the 30th, my advance, consisting of a portion of the mounted regiment under Colonel Goodwyn, was attacked at the Okihumky swamp, and three men were wounded. On my arrival at the spot with Kirby's battalion and the two advance companies of Brisbane's regiment, I caused the hammock to be scoured, and the Indians were found posted behind some pines, from which they were soon driven into the depths of (to us) an inaccessible swamp. Kirby's loss was one wounded, and the

enemy retired whenever our line approached within two hundred yards. These are the only Indians I have seen on our march. On my reaching Pelaklikaha I found the villages abandoned, and no sign of their having been occupied for several weeks; cattle and ponies, however, were abundant in the neighborhood. The houses and fences were burnt by my order. On the 31st I despatched an express to Fort King, who returned to me the night of the 1st of April, with information that you had crossed the Withlacoochee with the right wing on the 28th of March; that no communication could be held with you on that route, and that I could obtain no provisions at that post. Deeming it impracticable, in the exhausted state of my horses, to draw provisions over the route I had come from Volusia, and my only guide having reached the extent of the country with which he was acquainted, I saw no alternative but to extend my operations southward on the main road from Fort King to Tampa bay. Doing which I fired signal-guns at ten o'clock A. M. on four successive days, without hearing any response. On the 3d instant I fell upon the train of Colonel Lindsay returning hither, and immediately sent an express to him. On the 4th I received his communication in reply, and also yours dated the 2d instant. On the 5th, leaving my foot-soldiers and wagons fifteen miles from here, I came to this place with all my horses, and had the honor to report to you in person.

I am, very respectfully, your humble servant,

ABRM. EUSTIS,
Brig. Gen. U. S. army.

Major General Scott.

No. 106.

C.

HEADQUARTERS, CENTRE, FLORIDA ARMY,
Tampa bay, April 10, 1836.

SIR : I embarked at Mobile with three companies of the Alabama regiment of volunteers, commanded by Colonel William Chisholm, colonel of the regiment, on the 2d of March, five other companies of the same regiment, under the command of Lieutenant Colonel Crabb, and two under Major Taliaferro, sailing at or about the same time. The first eight companies arrived here on the 6th of March, and the two last, in transports, bringing our horses, provisions, and ammunition, did not reach this place until the 13th. On my arrival here, I found Major Read, with a battalion of Florida volunteers, encamped on the west side of Hillsborough river, and, about the 10th, I was joined by Captain Marks's company of Louisiana volunteers; on the 12th, discovering large fires in the direction of the Alafia river, Major Read was directed, with the Florida battalion, to scour that section of the country, which duty was successfully performed by a night march, by which the Indians were surprised in their camp and driven across the river, with the loss of three of their party killed and six of their ponies captured.

My entire force being collected, in the absence of all instructions from headquarters, I determined to make a forward movement, and construct

a stockade on the Hillsborough river, where it is crossed by the main road from Fort Brooke to Fort King, with a view of bringing our subsistence nearer to the scene of military operations, and on the 15th the line of march was accordingly taken up. The destruction of bridges by the Indians delayed and embarrassed our march so much that we did not arrive at the Hillsborough until the 17th, from which time until the 20th we were engaged in the construction of a stockade named by me Fort Alabama. Major Read, of the Florida battalion, was left in command of this post, whilst the remainder of the force returned to Fort Brooke on the 21st.

During my absence a despatch from Major General Scott, announcing the general plan of the campaign, and requiring me to be in position at or near Chickuchatty on the 25th, for the purpose of co-operation, had been received here through the hand of some friendly Indian. In obedience to this order, the line of march was taken up on the 22d. On leaving Fort Alabama I was joined by Major Read and the battalion of Florida volunteers, Captain Marks being left in command of Fort Alabama, with a company of Louisiana volunteers, and about 30 of the sick of the command. Our route lay through a hilly country, abounding with hammocks, and after passing Elochuteka, the Indians, taking advantage of their coverts, began to annoy us with their fire on the rear and flanks. On the 26th, a flanker of Cooper's company, Alabama regiment of volunteers, was killed, and another badly wounded. This attack was made on the rear of the flankers whilst the army was passing a dense hammock of nearly a mile in length, the front and centre of the columns having plunged into the hammock, a small portion of the rear only being left in open ground, skirted by woods, and a brisk fire going on between the enemy and the rear. I directed Captain Bonham, of the Alabama regiment, to charge with his company into the skirt of the hammock from which the fire proceeded, with a view of ascertaining the number and force of the attacking party. This duty was promptly performed, and Major Taliaferro having ordered up Blount's company of the same regiment, to sustain Bonham, the Indians were driven off, showing themselves at the distance of a quarter of a mile in the open woods, yelling and dancing. At our encampment this night parties of our men were fired upon by the Indians, from a hammock contiguous to a pond which supplied us with water.

Finding that the position of the enemy was too distant to be reached by musketry, I threw in one round of canister, which dispersed them. On the 27th, by the same annoying attack, the enemy always lying in ambush, one private of Campbell's company of Alabama volunteers was killed and two wounded. At noon, whilst halted, a smart attack was made upon our rear, but upon a brisk return of the fire, the Indians disappeared. On the 28th, when encamped at Camp Broadnax, (so called in honor of the inspector general of the army of the centre,) near Chickuchatty, the Indians commenced a fire on our horses and the party guarding them, when a detachment of the Florida battalion, under Captains Roulett and Allison, together with Blount's and Nott's companies of the Alabama regiment, were ordered to drive them. This service was performed without any loss on our side. On the 30th, provisions beginning to be very scarce, two parties of mounted men, one under the command of Captain Taylor, of the Alabama regiment, and the other under Cap-

tain Roulett, of the Florida battalion, were sent out in pursuit of cattle, covered by a force of 250 men, commanded by Lieutenant Colonel Crabb, of the Alabama regiment of volunteers. These parties were successful in bringing in such a supply of cattle as enabled us to subsist four days longer, although destitute of bread and salt.

During the day our friendly Indians killed a chief called Charley Fixico, a leader of about eighty-five men. At night the sentinels guarding the flank occupied by the Florida battalion were fired upon, and during the 31st, all of our sentinels occasionally received shots, but without any injury. On the 31st, I made an unsuccessful attempt to procure more beef, finding myself removed sixty miles from my depot, with bare enough provisions in store to march to it, without any prospect of being able to keep the field for the purpose of co-operation, contemplated in the plan of the campaign; and having obtained no response to the signals made by me to the other forces in the field, eight days in succession, I deemed it advisable to commence my return to Tampa bay, which I effected by the 4th of April, at night, having been out fourteen days on ten days' provisions. In the interval between my departure from Fort Alabama and my return to it, that post was attacked by a force supposed to be between three and four hundred Indians. The attack commenced about 8 A. M., and continued without intermission two hours and twenty minutes. The loss on the side of the defenders was one man killed and two wounded, whilst that of the enemy was supposed to be fifteen killed. Notwithstanding their defeat in the main attack, they continued to lie around the work in considerable force both day and night, until my return, when they moved off on the same road by which I marched; and the sign made on that road furnishes me with the means of estimating their numbers. During the whole time of the siege, Captain Marks, his officers and men, conducted themselves with coolness and courage.

I am, very respectfully, your obedient servant,

WM. LINDSAY, *Col. 2d art'y,*
and commanding army of the centre.

Maj. Gen. W. Scott.

No. 107.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa bay, April 3, 1836.

ORDERS No. 22.

The army will prepare and hold itself in readiness to march in a very few days.

The utmost attention will be given to have the whole baggage-train, including carriages, pack-saddles, and horses, fitted, and refreshed for the field as soon as possible.

The commanders of the three principal corps of the army will immediately take measures to ascertain whether the haversacks with which the men have been provided have been preserved. If any have been lost, they must immediately be replaced. The same means will be

adopted to ~~cause~~ every mounted officer and man to be provided with a sufficient corn-sack or wallet to carry the necessary corn for his horse.

The hard bread and bacon which have arrived at this place are intended for distant expeditions. Neither will be issued to the troops within two marches of this place, and all the corps will be supplied with those two items of subsistence according to their relative numbers.

By command of Major General Scott :

JAMES GADSDEN,
Quartermaster General.

No. 108.

HEADQUARTERS, ARMY OF FLORIDA,
Tampa bay, April 9, 1836.

ORDERS No. 24.

The embarkation of the friendly Indians for their new country, west of the Mississippi, will commence on the morning of the 11th instant, at the latest. It is expected that all who are now here will be on board the transports by the 13th.

The acting superintendent, Mr. Sheffield, will repair to Fort King, as soon as practicable, to obtain the papers of the agency, and to put in movement the friendly Indians who are at that place, for the same general destination west of the Mississippi, by any route that may be found the most practicable.

At the joint request of Lieutenant Harris, disbursing agent, and of the acting superintendents, Lieutenants Jones and Meade (both of whom are invalids, and unfitted for the arduous duties of the field) are assigned for duty with the emigrating Indians at this place.

Acting Assistant Surgeon Hulse is relieved from army duty, and will report himself to Lieutenant Jones as the surgeon and physician to the emigrating Indians now about to embark.

By command of Major General Scott :

JAMES GADSDEN,
Quartermaster General.

No. 109.

HEADQUARTERS, ARMY OF FLORIDA,
Tampa bay, April 11, 1836.

ORDERS No. 28.

All the corps of this army will be put in motion, by land or water, on the mornings of the 13th and 14th instant.

Mounted officers and men must provide themselves with the means of taking on horseback the grain necessary for their horses, as the wagons and pack-horses will only take grain for themselves. Two bushels of corn for each horse may easily be carried on his back ; but in

this case it will be indispensable that the horse should be led, and not ridden, for at least two days.

The mounted volunteers may deem this order a hardship. Let them reflect on the importance to the service that the horses should have grain for subsistence, and that no grain can be obtained on this side of Volusia and Fort Drane. This fact must be sufficient to satisfy the good sense of every mounted volunteer. It will also be remembered that the mounted men will march towards their respective homes, (with but slight deviations,) to which they will be soon honorably dismissed.

Brigadier General Clinch will send one of his battalions of United States artillery to join the centre under Colonel Lindsay, and the latter will direct the Florida battalion, under Major Read, to report to Brigadier General Clinch.

By command of Major General Scott :

JAMES GADSDEN,
Colonel in the staff.

No. 110.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa bay, April 10, 1836.

SIR : The war has not been as yet carried into the enemy's settlements on the Meaca and Pease creek. That country is believed to be one of his strong holds, and the place of concealment for many families and negroes. How far those settlements extend down the creek or river towards Charlotte harbor is not accurately known, and I am in the same state of ignorance as to the number of fighting men that may probably be found in that quarter. His force, however, in that quarter, is not estimated at more than two hundred and fifty men. It is probably much less.

It is my wish that you proceed to Charlotte harbor with your regiment, on board the two schooners which have been designated for the purpose, accompanied by the cutter Dallas, Captain Green, which is also put at your disposition for the expedition, and to ascend the Meaca or Pease creek with those vessels, as far as you may find practicable or safe, when you will land your forces on either bank, and march in search of the enemy and his settlements. Lieutenant Powell, of the navy, is now in Charlotte harbor, with two new boats and a party from the United States ship Vandalia. An order will go with you from the commander of that ship, instructing Lieutenant Powell to unite and co-operate with you. On your way thither you will instruct the cutter to keep a lookout for that party, which may be on its return, and if not, you will deliver the instructions to Lieutenant Powell, mentioned above. Besides the boats which that officer has with him, and those belonging to the cutter and the transport schooners, you will engage such other boats and canoes in Charlotte harbor as you may require.

After the two schooners shall be obliged to come to anchor in the Meaca, perhaps the cutter may be able to ascend the creek some miles higher. With those vessels, it is suggested that you leave a competent

guard on debarking, when the small boats and canoes may be serviceable in taking subsistence for the troops to a much higher point.

With the aid of the small-craft and the haversacks, it is supposed that you may operate effectively, to the distance of four, perhaps six marches, (going and returning,) after leaving the vessels. If so, it is thought highly probable that you will be able to reach the settlements of the hostile Indians, and to beat and capture the enemy in that quarter. For this purpose you will pursue any considerable trail you may find to a reasonable distance—having reference to your force and means of subsistence. The capture of the families of the enemy, and the slaves in their possession, as well as the destruction of their settlements, are among the principal objects of the expedition, some, if not all of which, I think you cannot fail to accomplish.

Guides and interpreters you will find with Lieutenant Powell; and you may engage any others that you may find in Charlotte harbor.

A simultaneous movement of 500 mounted men will be made upon the settlements near the head of the same river or creek. It is possible that you may be able to communicate with that force, but it is not expected that you will make any hazardous halt or movement to accomplish that object.

After accomplishing or attempting the objects suggested, you will, at the end of a reasonable time, return to this place, where you will find the quartermaster's department instructed to furnish the best transportation that can be had for the honorable return of your regiment to New Orleans.

Please report to me, in duplicates, by different routes, the results and observations of your expedition, which I do not doubt will terminate as honorably to you, your officers and men, as any service that has preceded it.

I remain, with the highest consideration and respect, your most obedient servant,

WINFIELD SCOTT.

Col. P. F. SMITH,
Commanding Louisiana volunteers.

No. 111.

HEADQUARTERS, ARMY OF FLORIDA,

ORDER No. 37.

Tampa bay, April 16, 1836.

The Louisiana regiment of volunteers, under the gallant Colonel Smith, will, on its return to this place, immediately proceed to New Orleans in the best transports the quartermaster's department can supply. It will first turn into store the arms and other property of the United States in its possession, and which may not be necessary to the comfort of the regiment in its passage home.

At New Orleans, Major Clark, or other United States officer, will muster the regiment out of the service of the United States; and it will, at the same time, be paid by the paymaster of the army stationed in that city.

What may be the results of the expedition to Charlotte harbor and Pease creek, in which the regiment is at present engaged, cannot be known to the commanding general in some weeks. Judging from the past, those results cannot fail to be highly honorable to the colonel, the officers, and the men, of that efficient corps, which is already entitled to the thanks of the country.

Dr. Lawson, the senior surgeon of the United States army, who, under a commission from the State of Louisiana, has served as lieutenant colonel of this regiment, and who has superadded the distinction of arms to his high medical reputation, will temporarily take charge of the general hospital at this place. As soon as the great body of the sick shall have been restored and sent off to their respective States, Surgeon Lawson will return to his proper station.

WINFIELD SCOTT.

No. 112.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa Bay, April 12, 1836.

SIR: I am directed by Major General Scott to inform you that the duties of paying off the Louisiana and Alabama volunteers, now in the service of the United States, as discharged, will devolve on you. Colonel Lindsay, commanding the cutter, expects to embark them from this port for Mobile, on or about the 1st of May, so that you may safely calculate on their arrival at that place between the 5th and 10th of the month, at latest. It is all-important that you be at that point on the arrival of the Alabama volunteers, so that there be no unnecessary detention in discharging and paying them off. Colonel Lindsay, to whom you will report on your arrival in Mobile, will furnish you the necessary funds, if not already placed at your disposal by the proper authorities at Washington, and will afford you every facility to the speedy and faithful discharge of the responsibilities by this communication imposed on you.

By command of Major General Scott:

JAMES GADSDEN,
Colonel in the staff.

Major CHARLES MAPES,
Paymaster, New Orleans.

No. 112—113.

HEADQUARTERS, TAMPA BAY, *April 14, 1836.*

SIR: The imperfect knowledge had of the Withlacoochee river and its entrance from the Gulf, and the impossibility of acquiring, from any source which may be relied on, such information of its accessibility with the interior as to ensure the co-operation and junction of forces operating by land and by water, have induced the commanding general so to modify the contemplated movements of the right wing of the Florida army, to which your battalion had been attached, as to devolve on you and your com-

mand a very responsible and honorable duty—a service, the performance of which may possibly have an important influence on the results of the closing campaign, and cannot but prove very valuable in any ulterior operations deemed necessary against the Seminoles. The commanding general, therefore, directs you to embark, as early as practicable, (the quartermaster of this post furnishing on your requisition suitable transports, with a full supply of provisions,) your whole battalion, including invalids and sick, for the mouth of the Withlacoochee; that you come to anchor in the nearest and safest accessible harbor or anchorage-ground to the mouth of that stream, and that you proceed with your effective force, leaving your sick and invalids on board, with the boats at command, to survey and examine its entrance, and to penetrate as far into the interior as may be found practicable and consistent with the security of your command; holding steadily in view that the object of your expedition is one of reconnoissance, more with a view of obtaining information of a part of the probable seat of war unknown to us, than to operate directly against the enemy. There is no evidence, either from discovered trails, or any other source, of the hostile party in any force having gone in the direction of the mouth of the Withlacoochee; yet, in the midst of the uncertainties prevailing as to the directions taken by the different dispersed parties of the enemy, it is not improbable one division may have taken that course.

The general is unwilling, therefore, to expose unnecessarily your small command to either being cut off, as you will be separated from all succor, or from being exposed to an unequal combat on a river, the enemy having possession of the banks, and your command unprotected in your boats. He relies, therefore, on your prudence and discretion, that while in the performance of a service of reconnoissance—one for the obtaining of information—you do not hazard the safety of your battalion in an unequal contest; that all your movements be made with caution, examining well the river before you enter, and not land and penetrate the country to any extent that would jeopardize the same communication with your transports. You will preserve notes of your observations, and report the result of your examinations (directed Garey's ferry, Black creek) to the commanding general, detailing minutely the character of the anchorage at the mouth of the Withlacoochee; the navigability of that river for boats; the probable distance to which it may be penetrated; the character of its banks; and the facilities generally afforded for the forming of depots, with a view of supplying an army operating hereafter on or near its waters. This duty performed, you will proceed to St. Mark's, Florida, in the transports, where your command will be honorably discharged by the Territorial authorities which mustered you into service, as it will be impossible for the commanding general to detail a regular officer for said service.

Captain Bunce, an experienced pilot of this coast, and who has been in the mouth of the Withlacoochee, will accompany your expedition, and render you every service in the accomplishment of the important duties imposed on you by this communication. Respectfully,

JAMES GADSDEN, *Col. in the staff.*

Major L. READ, *Florida battalion.*

No. 113.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa Bay, April 14, 1836.

SIR : With the centre under your command, you will march without delay, by the Fort King road, till you shall have passed the Big Withlacoochee; you will then penetrate the forks of the two rivers of that name by any leading trail or practicable route, and open a communication with Brigadier General Clinch, who, in all probability, will have entered the cove of the Withlacoochee on the 19th instant. A junction or close approximation of your force with his is indispensable, as you will have to turn over to his command the company of mounted Georgians, and the detachment of United States dragoons, and receive from him the United States 4th infantry, which will return with you to this place.

In marching to communicate with Clinch, you will not neglect to pursue any considerable recent trail of the enemy, as far as you may safely do so without losing the chance of such communication, say between the 20th and 23d instant, somewhere within the forks of the Withlacoochee.

You will take with your command the greater practicable amount of subsistence, so that after, as before communicating with Clinch, you may be in a condition to keep the field as long as possible, and ready to attempt any enterprise that may contribute to the success of the war.

It is not doubted that the force of either Clinch or the centre will be found perfectly adequate to beat any body of the enemy that either is likely to encounter. No junction, therefore, for that specific object, is deemed indispensable. The approximation of the two forces is directed with a view to the other objects first mentioned, and also for this purpose, that if Clinch should drive the enemy, you may be in a position to strike a decisive blow, and *vice versa*.

For your government on your final return here, you will receive further instructions or orders.

Relying on a continuance of that vigor and intelligence which you have already displayed in this campaign, and not doubting that you will be well supported by the regulars and volunteers under your command,

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Col. W. LINDSAY, *Commander of the Centre.*

No. 114.

HEADQUARTERS, ARMY OF FLORIDA,

Tampa Bay, April 16, 1836.

ORDERS No. 38.

On the return of the centre of this army, under Colonel Lindsay, he will have at his disposition four companies of United States artillery, seven companies of the United States 4th infantry, the Alabama regiment of volunteers, and Captain Mark's company of Louisiana volunteers, besides the small garrison in Redoubt Fraser.

What more may reasonably be attempted by those patriotic volunteers and regulars, in the prosecution of the war, is left to the zeal and judg-

ment of Colonel Lindsay, or the senior officer of the centre. The commanding general will soon be in the northern part of the Territory, and, therefore, may not have it in his power to give prompt instructions for the movement of those forces.

Besides the train of wagons and pack-horses, water transportation for new expeditions may be supplied by the quartermaster's department.

When the term of service of the volunteers shall have expired, or sooner, if no new expeditions can be attempted with a prospect of advantage, the volunteers mentioned will be embarked for their homes. No doubt is entertained that the two corps will each be entitled to an honorable discharge and the thanks of the country. The discharges may be given here, or at Mobile and New Orleans, as may be deemed best. In either case, the quartermaster's department will furnish the necessary transportation.

When operations shall be over for the season, the four companies of artillery will be left in garrison here; a company of the 4th infantry, with sixty days' subsistence, will be sent to Key West to reoccupy the post on that island; two companies of the same regiment will be sent, under a field officer, to establish a post at or in the vicinity of Watson's or Dabney's plantation, on the Suwannee. A good supply of subsistence will be taken by the two companies up that river. On the establishment of the post, any detachment of Florida militia in its vicinity will be discharged and sent home.

Those arrangements being completed, the commanding officers at Fort Brooke, Key West, and on the Suwannee, will report to the headquarters of the western department.

As soon as it may be prudently done, the detachment of United States marines, under Lieutenant Waldron, will be instructed to rejoin the proper naval commander. This officer and his detachment are entitled to the thanks of his army for the zeal and good conduct they have displayed ashore.

Great care will be bestowed by the proper officer to render the horses left here by the army capable of service. As soon as they shall have partially recovered strength, a small detachment of mounted men will be formed for the purpose of occasionally scouring the vicinity, and of keeping prowling parties of the enemy at a distance.

The four remaining companies of the 4th infantry will be detained as a part of the garrison at this place, or sent to Baton Rouge, as Colonel Lindsay or other commanding officer may deem necessary.

WINFIELD SCOTT.

No. 115.

DEPARTMENT OF WAR, *April 15, 1836.*

SIR: I enclose, for your information, the copy of a letter this day addressed to Governor Clay, of Alabama, and to request that, as soon as the state of your operations in Florida will permit, you will direct your attention to the Creek Indians, and adopt such measures as you may find necessary to preserve or restore tranquillity in that part of the country.

Very respectfully, your obedient servant,

LEWIS CASS.

Major General Scott,
Fort King, Florida.

No. 116.

HEADQUARTERS, ARMY OF FLORIDA,

Picolata, April 30, 1836.

For the information of the War Department, I have the honor to report my arrival here yesterday. My last report was dated at Tampa bay, the 12th and 13th instant.

The right wing and the centre of this army moved from that place on the 14th, as did also the South Carolina mounted regiment. The foot of the same wing (the left) had remained encamped for twelve days, about fifteen miles from Tampa, on the Fort King road, and the Florida battalion commenced its embarkation for the mouth of the Withlacoochee on the 17th. I left Tampa the same day, and joined the foot of the left wing, with which I marched to Fort Alabama, on the Hillsborough. Here, on the next day, we were rejoined by the South Carolina mounted regiment from its expedition to the head of Pease creek, where no Indians and no recent trails were found. Colonel Goodwyn, the commander, however, discovered and burnt an extensive town on the left bank of that stream.

On the 20th, the left wing passed the Big Withlacoochee, where we found the centre engaged in constructing a defence for its baggage-train, preparatory to entering and scouring the forks of the Withlacoochees, whilst the right wing was advancing by the cove and the left bank of the main river.

I continued to march with the left wing via the scene of Dade's massacre, Pelaklikaha, and the upper crossing of the Ochlawaha. On the night of the 22d our camp was fired upon by a party of six or eight of the enemy. One man and two horses were slightly wounded. At daylight a detachment of horse was put in pursuit of the enemy; but at the end of a few miles the trail was lost, between some of those hammocks, swamps, and ponds, which everywhere abound. Another small party of the enemy was met on the morning of the 24th, and which might have been cut off from the nearest hammock, but for a false movement made by the company of horse constituting the advance guard. The horses and packs of the party were captured; but, after halting and scouring a succession of hammocks, which were, as far as practicable, surrounded by the horse, we found ourselves eluded by every Indian. I mention these mortifying incidents to show the character of the enemy, and the nature of the country. The foot broke into hammocks where a goat could not penetrate, and the horse rapidly took up the positions assigned; but the enemy, in all such cases, contrive to escape by secret passages, which afterwards can be rarely found.

When at the distance of twenty-three miles, I took an escort of two mounted companies, and proceeded to Volusia on the 24th. Finding there the United States steamer the *Essayons*, I embarked in her, and with a guard of only seventeen men, determined to penetrate, by the St. John's, the southern part of the peninsula as far as practicable. Colonel Gadsden, Captain Canfield, and Lieutenant Johnson, accompanied me, to note the course and depth of the river, together with the general topography of the country. We found no difficulty in passing up to the head of lake Monroe, and might have carried to that point a draught of eight or nine feet of water. The distance ascended is 200 miles from the mouth of the river, and 60 from Volusia. We found the river beyond

the lake nearly as bold as below, and, if we could have crossed the bar at the entrance, we do not doubt that we might have gone fifty or seventy miles farther towards Cape Florida; but, unfortunately, our boat drew more than four feet, and we only found four on the bar.

This *reconnaissance* was made with a view to several objects. I was anxious to discover whether the Indians had any settlements on the upper part of the river; to find out the place of concealment for their women, children, and negroes: to give to the well-disposed, among the latter, an opportunity of communicating with us; to observe trails and crossings, and particularly to find a good point, as far in the interior as practicable, for the establishing of a new post before the recommencement of active operations on our part. Such point we found about eight miles below lake Monroe, on the east bank. A leading trail passes through it. Here we took the ferry-canoe in ascending, and here, on returning, a sharp fire was thrown in upon us by a party of ten or fifteen Indians, who lay concealed in high grass on the west side. But for their timidity, they might have killed the four officers, who were standing exposed on the bow of the boat. They fired from a distance of 300 yards.

Brigadier General Eustis arrived, with the body of the left wing, at Volusia, on the 25th. The garrison he had left there, under Major Gates, had been sharply attacked, on the 14th, by, perhaps, 80 Indians. Two of our men, who happened to be outside, were killed, and possibly the enemy lost as many, but no sortie was made.

Before the arrival of Eustis, I had planned an expedition to *Spring Garden*, consisting of the two companies of horse that had escorted me, and 60 volunteers of the garrison. The detachment returned without discovering any recent signs of the enemy.

All the volunteers of the left wing marched, under Colonel Goodwyn, on the morning of the 28th, for St. Augustine, *via* Tomoca, &c. Brigadier Generals Eustis and Bull, both being much indisposed, came down the river with me. The regulars were left to garrison Volusia, and to superintend the evacuation of the post, which had already become extremely sickly. Many cases of malignant bilious fever had occurred, which, in the opinion of some of the physicians, threatened the approach of the yellow fever. By the aid of two boats—the Santee and the Es-sayons, the evacuation may be completed in a week. Colonel Goodwyn and the two regiments of volunteers may be expected to reach St. Augustine, with the baggage-train, in four days from this time. He will pursue any fresh Indian trail he may cross.

I have had, as yet, no report from Brigadier General Clinch. I learn, however, unofficially, that he reached Fort Drane on the 26th, without finding, in his march, any party of the enemy exceeding fifteen or twenty.

From Colonel Smith, who, with the Louisiana volunteers, went on an expedition up the Pease creek, *via* Charlotte harbor, nothing had been heard when I left Tampa bay. I may receive his report *via* St. Mark's and Tallahassee in ten or twelve days. One, from Major Read, who commanded the expedition up the Withlacoochee (from its mouth) may be expected in the same time, and also a third from Colonel Lindsay. On the receipt of all those reports, I shall be able to form a pretty accurate opinion of the measures to be pursued to put an end to this war, which must be recommenced at a better season, and with very different means. On our side, so far, nothing of importance has been achieved.

I am more than ever persuaded that the whole force of the enemy, including the negroes, does not exceed 1,200 fighting men; it is probably something less. Of that force, I am equally confident that not 500 have, at any time since the commencement of hostilities, been brought within the same ten miles square. In all our operations, within the last thirty days, we have not found a party of more than perhaps 130; but parties of from ten to thirty have been encountered almost everywhere. No Indian woman, child, or negro, nor the trace of one, has been seen in that time. Those non-combatants (it has been evident to us all) have been removed beyond the theatre of our operations. [They were, no doubt, even while the parley was going on with General Gaines on the 7th of March, moving off to the southeast, beyond Pease creek, and lake Tohopkelika, and in that almost inaccessible region they are now concealed. That officer, it is said, caused Powell and his chiefs to be informed, by way of inducing them to agree to accept the Withlacoochee as a temporary boundary, that large armies were approaching, which would fill up the Indian country or crush every thing in their way. The wily chiefs profited by the information; sent off their families, and dispersed their warriors into small parties. In this way Powell expects to make good his threat, viz: *That he would protract the war three years.*]

To end it in [less time] [I am *now* persuaded that not less than 3,000 regular troops are indispensable; 2,400 foot, and about 600 horse. The country to be scoured and occupied requires that number.] I have no particular desire to conduct the operations of the new forces; that is a duty which I shall neither solicit nor decline.

[Of the above force, 3,000 *good troops*, (*not volunteers*), five hundred will be necessary to garrison five posts for the deposite of supplies. Say one on the St. John's, seven miles below lake George; one up the Pease creek, say 15 miles above Charlotte harbor; one at Tampa bay; one 12 miles from the Gulf of Mexico, up the Withlacoochee; and one on the same river, near the Fort King road; with 160,000 rations deposited at Tampa bay, and thirty or forty thousand at each of the other posts. Five columns with haversacks, and a few one-horse carts, may operate securely, and with every prospect of success—at least to the north and west of Charlotte harbor. For the country below, additional means will be wanted, viz: two or three steamers of a light draught of water, and fifty or sixty barges of different sizes, capable of carrying from ten to fifty men each.

I give these items, in order, if approved, that the necessary appropriations may be asked at once. I beg leave to add, in haste, that new regiments, or regiments of recruits, would be worth little or nothing in this war. I will, therefore, earnestly recommend that the companies of the old regiments be extended to eighty or ninety privates each. Recruits, mixed up with old soldiers in June or July, would become effective by the first of December; and I repeat that operations cannot be carried on by any troops whatever, in this peninsula, except between the 20th of November and the end of April. The intermediate period is too hot or too sickly to be endured.]

The boat is about to depart, and I must, for the present, conclude.

At the end of January I asked for troops of the Governors of several States. The last of the South Carolinians arrived at St. Augustine the 9th of March, and at Volusia the 25th; the Georgians, in part, arrived at

Fort Drane, about the same time, but six companies of horse not till the 9th of this month, after the campaign was nearly over. As it was impossible for them to join either of the columns, Lieutenant Colonel Crane sent them back to their homes.

The Alabama regiment, that was expected to reach Tampa bay about the 25th of February, did not reach that place till (I think) the 13th of March. These extraordinary delays it was impossible for me to foresee or to guard against.

A portion of the Georgians have just arrived here to embark for their homes, and the remainder of the same quota will follow. The South Carolinians will be discharged at St. Augustine and Jacksonville.

I shall write again by the first opportunity. In the mean time, I shall, here or at St. Augustine, await the orders of the Department.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brig. Gen. R. JONES,

Adj. Gen. U. S. Army.

No. 117.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Geo., June 14, 1836.

SIR: I perceive that Governor Call has obtained permission to make a summer campaign against the Seminole Indians. With all my heart I wish him success; but more than fear, whatever the amount and description of his forces, heat and sickness will defeat him.

I hardly think that he will be able to raise, under the late volunteer act, more than 200, possibly 300 men; and they will not be highly effective. Of the regulars left by me in positions on Alachua and Suwannee frontiers, many I learn have already fallen sick, and I have reported that no volunteers can be counted on from this quarter. The only reinforcement the Governor can, with certainty, expect, in any short time, is the detachment from Baton Rouge, which, at his suggestion, I have ordered back to Florida.

Not doubting, then, that an attempt to operate in the summer, as low as the Withlacoochee, will be attended with great loss from sickness, and must inevitably fail from that cause alone, however ample the means, I beg leave earnestly to call the attention of the Government to the only plan, and to the particular means, which, in my humble opinion, can give success.

The Seminole Indians are not formidable from their numbers. Of fighting men, including blacks, I do not believe they have more than 1,200 in all Florida, and I am morally certain that, of that number, not more than 500 have been embodied at any time since the commencement of hostilities. The strength of this enemy consists in the extent of the country he occupies, and still more in the frightful nature of its surface. The country west of the Suwannee, in which the campaign of 1818 was prosecuted with success, is a bowling-green compared to that below the Withlacoochee, not to mention that beyond Pease creek and lake Tohopkelika. Those who have only seen the first, can form no idea of the second and third districts mentioned. Fancy a surface checkered at con-

venient distances for the Indians, with hammocks, cypress swamps, savannahs, and scrubs. Every hammock and scrub is more difficult, being pre-occupied with Indians, to storm and to carry, than any field-work it was my fortune to take in Canada. With the advantage of those innumerable fastnesses, if the enemy continues his late policy of sending off to the Everglades his families, and of breaking up his warriors into small parties, who shall say that he can beat such an enemy in a given time? Not a Wayne, nor any other great commander against Indians, living or dead, could venture to say that he could do it in a single season.

The season for operations in Florida is from the 25th of November to the end of April. I assert that an army cannot be safely put into the field earlier, nor continued later. With the best possible troops, 3,000 is the *minimum* force required. To obtain the recruits wanted, every man serving in this particular war ought to have pledged to him, at the end of it, a bounty of 160 acres of land, (not Florida land—that would be a fraud;) and every officer should receive a gratuity, at the commencement of the campaign, of not less than three months' pay; for I repeat that the war against the Seminole Indians is one of unmitigated privation and suffering, without the least possible expectation of fame or glory to individuals. Without the bounty of 160 acres of land to each enlisted soldier, I am confident, from the present high price of labor throughout the country, the number of recruits required cannot be obtained.

I have heretofore stated that five posts ought to be established in the country, at or just before the commencement of operations: Tampa bay; the falls of the Withlacoochee; the great crossing of the same river; on Pease creek; and seven miles below lake *Monroe*—not lake *George*, as I wrote in my letter of the 30th of April. Between those posts, the troops should operate with such subsistence as they may take in their haversacks and a few one-horse carts; and each horseman taking, at the commencement of each expedition, three bushels of corn in his saddle, and leading his horse for the first eight days.

The one-horse carts (about one hundred) should be light, and yet strong, with a water-proof covering. The tire should be four and a half inches in width, and made of rolled boiler iron. These carts ought to be ordered in time, and, when ready, sent to Tampa bay, Fort Drane, and Picolata—50 to the first place, 25 to the second, and 25 to the third. Three steamboats of good burden, but of light draught of water, for the Gulf of Mexico, and a fourth, of the same description, for the St. John's river, ought also to be ordered in the course of the summer.

With the forces and means here hastily enumerated, I repeat that, by able combinations, it will be possible, in a single season, to drive the enemy's parties out of the country between the Withlacoochee and Charlotte harbor, and accomplish something advantageous in the Everglades at the same time, with the further aid of fifty or sixty barges, which ought to be ordered to be provided with the steamboats.

These views I hold it to be my duty again to present. I wish, for the good of the country, that I had the influence with the Executive and Congress to cause them to be adopted. Perhaps, after the trial and failure of other plans and means, they may, by the autumn of 1837, find favor in those quarters.

I have the honor to remain, with high respect, sir, your obedient servant,
WINFIELD SCOTT.
Hon. LEWIS CASS, *Secretary of War.*

No. 113.

ADJUTANT GENERAL'S OFFICE,

Washington, May 5, 1836.

SIR: Your communication of the 12th of April, reporting the operations of the army in Florida under your command, since your departure from Fort Drane, and of your arrival at Fort Brooke, Tampa bay, has been submitted to the President, and this day to the Secretary of War. I am happy to inform you that the President approves your intended plan of operations, and deems it very important that the movement against the negroes, women, and children of the hostile Indians should be vigorously prosecuted, fully persuaded as he is that the capture of these, and the destruction of their settlements, would best ensure the speedy termination of the war.

I am desired by the Secretary of War to say that, from the tenor of your report, as well as by the communication he has just received from the Governor of Florida, it is probable that, owing to the approaching season of the year, the campaign in the field cannot be much longer vigorously pushed. In this event, you will make a judicious selection of the posts necessary to be occupied by the troops during the interval of active operations which may be best calculated to protect the frontier inhabitants, and prevent Indian depredations of any kind. For this purpose, all the regular troops, including the 4th infantry, must be kept on duty in Florida.

A bill making provision for the raising of volunteer troops is now pending in Congress, and soon, it is presumed, will become a law; in which case, you may expect such reinforcements as may be necessary for the public service, relative to which the views of the Department will hereafter be communicated.

The Secretary of War also desires me to communicate to you his wish that you may confer with the Governor of Florida, in order that such other measures for the effectual defence of Florida may be adopted, if necessary, and which could not otherwise so well be carried into effect as by a co-operation between the Territorial Government and commanding general in the field. The Secretary of War, reposing great confidence in the judgment and prudence of Governor Call, wishes a mutual interchange of views and opinions, as he has so expressed himself to the Governor with regard to the commanding general in Florida.

I am, sir, with great respect, your obedient servant,

R. JONES,

Adjutant General.

Major General Scott,

Commanding in Florida, Fort Drane, Florida.

No. 119.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 11, 1836.

SIR: Much indisposed, I have been waiting for the arrival of a steamer in order to write to you; for I have much to report and to explain. Af-

ter a long delay the boat is come, and yet I am scarcely able to hold up my head for twenty minutes at a time.

With this you will receive a copy of Brigadier General Clinch's report of his march from Tampa bay, and copies of several other letters from the same source.

It will be seen, from the latter of those communications, that the Indians have already recommenced their depredations and murders in the Fort Drane vicinity, and that there is but little hope of embodying any respectable number of the inhabitants, as mounted men, to aid in their own defence. I had, under the circumstances, authorized Clinch to raise, in the usual form, and to muster into service, eighty or one hundred. Such addition to the nine companies of the United States troops there, would, I suppose, be sufficient to scour and free that frontier of the enemy: an order having been given by me to remount Wharton's detachment of United States dragoons from the spare horses of the wagon-train. I learn that about sixty mounts can be furnished him in all.

I have consented to retain Fort King, and many days ago approved of the reinforcement of an additional company being sent there.

The resignation of Brigadier General Clinch was forwarded a week ago. The army will lose in this officer one of its best commanders. In the same package, a like tender on the part of Captain Thruston was forwarded. On the earnest solicitation of each, founded on private interests of the utmost importance, they were allowed to retire (about this time) from the army, and to await the decision of the War Department. I soon afterwards learned that Captain Thruston would have much preferred a leave of absence. If his resignation has not been accepted, I trust that such indulgence may be accorded. He is highly gifted for any kind of war; but, from his knowledge of this country and the enemy, he would be of the greatest value on the recommencement of hostilities. Perhaps, with handsome promotion, he may be permanently retained in the army. He is worthy of a lieutenant colonelcy.

When Clinch shall retire, the command, in that quarter, will devolve on Lieutenant Colonel Bankhead, every way capable, if his health were better. He is very infirm, from extreme fatigue, and, I learn, can scarcely walk or mount his horse. Brigadier General Clinch recommends him for leave of absence for the recovery of his health; and as soon as I can spare Major Gates or Major Heileman, I shall send a leave to the lieutenant colonel, whose recent services, independent of all former claims, entitle him to high consideration.

I enclose a copy of my Order No. 46. General Eustis is engaged in mounting two companies of his regiment, using the horses of his baggage-train with wagon-saddles. Some few common saddles will be purchased to complete the number wanted. About eighty-five mounted men may thus be obtained with very little cost to the United States; for the horses will be wanted on the return of cold weather, and in the mean time they could not be sold this side of Tallahassee for ten per centum of their value. The two mounted regular companies will be worth more than twice the number of foot. The men are now a little awkward in the saddle. In a week they will be quite respectable; and after two months, twice as effective as mounted volunteers. Forty men of Dimmock's company, the only one here at the time, was hastily mounted on the 7th, and sent to pursue a trail seen about five miles from this place. The

citizens who went out as guides, after travelling some eight miles, declared that the signs were simply those of the country cattle, and the captain returned. On the morning of the 8th, we received a report that a party of Indians were at the Metansas; had captured the slaves of Hernandez and Dupont, and would, no doubt, destroy the fixtures at both plantations. Captain Dimmock was again hastily mounted and despatched. At a little distance from Dupont's place, a small party of the enemy were overtaken, at least three killed, and several wounded. Dimmock lost a private killed, and had a sergeant and three privates wounded. Two of his horses were also killed. The Indians, as usual, availed themselves of a near hammock, and fought better than they have commonly done. They lost their horses and packs, of which they had robbed the plantations. All Dupont's negroes escaped; but the enemy had secured three belonging to Hernandez. It is hoped they will also escape, on being next approached by the horse. Lieutenant Irwin, with Saunders's company, which it is proposed to keep mounted, will march out to-morrow to Dupont's place, where a company of foot will be placed in garrison. The families and negroes I hope will be soon reassured. Every thing south has been long destroyed.

The handsome check given to the enemy on the 8th, will render him more cautious. Without horses, succor would not have arrived till the neighborhood had been desolated.

Both on the 7th and 8th application was made for volunteers from the South Carolina foot. One man marched with Dimmock the first day; the same man and six others the second. The time of these troops being out between the 8th and the 20th, no more would volunteer, either to go by water, on foot, or horseback. On inquiry, it was found useless to issue an order, as the colonel (Brisbane) could not pledge himself that it would be obeyed. He was, on the contrary, certain that it would be disregarded. Goodwyn's regiment of horse was already across the St. John's, at Jacksonville, and the remaining companies of regulars (four) were at Picolata, engaged in handling and securing the public property at that depot. Merchant's company had, a few days before, gone to Garey's ferry, where it will establish itself for the summer, &c.

I have been using every measure in my power to cause a company of mounted volunteers to be raised on this side of the St. John's, to aid the inhabitants to defend the country. I would prefer that the company should consist of at least sixty-four privates; but have offered to accept one with forty, and give it three officers. It is very doubtful whether even that minimum can be engaged. With such company, under tolerable officers, the two companies of mounted regulars, and the three of foot, I do not doubt that entire security may be given to the whole of the remaining settlements.

The little United States steamer, the Essayons, will be useful in effecting the same object. By frequently passing up the river as far as lake George, it will be rendered very hazardous for parties of Indians to cross the river to join in depredations on the Alachua frontier, or on this side of the St. John's. The parties which infest those districts cannot, I should think, exceed one hundred and fifty in the whole. Sixty Indians, however, but for the presence of regulars, would depopulate this part of the Territory in a season.

I have received no report from Colonel Smith, who, from Tampa, went up the Pease creek. None has been received from Colonel Lindsay, who was left, on the 20th ultimo, on the Big Withlacoochee, preparing a fortified camp for his wagons, before scouring the forks. From the bad dispositions of the Alabama regiment, his principal force, I expect to hear that the duty of that column has been slurred over.

But the most extraordinary and disgraceful delinquency committed by any corps, has occurred in the expedition intrusted to Major Read. He has not condescended to report to me; but, from Governor Call's letter that was forwarded to Washington, I infer that the major scarcely looked into the Withlacoochee.

His written orders, drawn up by Colonel Gadsden, directed him "to penetrate as far into the interior as may be found practicable, and consistent with the security of your command." And I said to him on each of the two following days, in the strongest and the most precise terms, that he would ascend the river to the first impediment in its navigation, which was understood to be twelve miles up. I desired him to sketch the windings and the banks of the river, and particularly to note a site, with wood at hand, and as near the falls as practicable, *for a military post*, the importance of which I fully explained. This man has, at Tallahassee, caused a statement to be made, declaring that I had refused him permission to ascend the Withlacoochee! and again, presuming the statement to have been furnished by him, he denies having ever heard that, possibly, he might find a block-house and garrison established near the falls of the river. Now, I affirm that it was generally known, throughout the right wing of the army, that it was just possible that Major McLemore (a highly meritorious Floridian) had made such establishment. The possibility was mentioned to Major Read; and although Colonel Gadsden, by accident, omitted the subject in the letter of instructions, yet, when the major saw half of a flat rudely cut in two, *that* which was extremely doubtful before, became a matter of the most perfect certainty; and if the major had been bound home, without other orders, it immediately became his imperious duty to go instantly to the relief of his countrymen. The flat could never have belonged to Indians, and it would not have been destroyed if the garrison had returned by water to the Suwannee; and Major Read knew it could only have returned by water.

Associated with such officers and men, no man's honor is safe. An act of sheer cowardice is supported by at least two distinct falsehoods.

I feel and know the risk I incur by the use of this language. Major Read is the favorite of Governor Call, and his excellency's support may well turn the tables against me at Washington.

I must again repeat that, although I believe that eight hundred or fewer regulars might easily beat the whole of the Seminole warriors, *if they would stand*, yet at least three thousand of the best troops are required to finish this war.

I have written the foregoing sick and in haste. In a few days I hope to be well again, when I shall attempt to give, succinctly, the causes which have defeated the operations; the first of which is, the late day on which I was ordered to Florida.

I remain, with respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,

Adjutant General United States Army.

No. 120.

HEADQUARTERS, RIGHT WING, FLORIDA ARMY,

Fort Drane, April 27, 1836.

SIR: I have the honor to submit the following report of the operations of this wing of the army since marching from Tampa bay, in obedience to your order of April 11, No. 28.

On the 14th instant, the wing, composed of the following force, viz: artillery, 278; dismounted dragoons, 43; fourth infantry, 202; Augusta volunteers, 139; mounted men, 140; total, 802, marched on its return to Fort Cooper, making shorter distances than before, in consequence of the increased heat of the weather, and the debilitated condition of the horses. All the sick, to the number of 80, had been left in hospital at Fort Brooke. On the 17th, the fourth day of the march, arrived within three miles of Fort Cooper, and halted. On the morning of the 18th, despatched some light wagons, escorted by Malone's and Campbell's companies of mounted men, with instructions to Major Cooper to join me. These escort companies had proceeded to within half a mile of his position, when, as they were passing a hammock, they were fired upon by the enemy, and Lieutenant Dawson and private Howard severely wounded. This information being brought back to me, and apprehending that they might have encountered a large body of Indians, I sent out the commandant of the right column, Colonel Bankhead, with a battalion of artillery, to reinforce the detachment; before his arrival, the enemy had retired. Major Cooper joined me in the course of the day. My reasons for halting were to give the horses a day's rest, and because, near that point, the trail, which, according to my instructions, I was to pursue, diverged to the right and rear.

Major Cooper had been invested by the enemy from the 5th until the 17th of April. In the course of daily skirmishing with them, he lost one killed and five wounded. With this you will find a copy of his report. His conduct, and that of his officers and men, deserves, and I have no doubt will receive, the highest gratitude of their country, as they displayed great coolness and firmness under the most trying circumstances. Major Cooper estimates the force around him at 250; there were probably more, though not in view.

On the 19th marched, and, at the distance of four miles, came to the river; followed the course of the river-bend seven miles, and encamped; 20th, continued the march up the river seven miles to the Tampa road, at Colonel Lindsay's position, and encamped. The distance from the old Indian town, (my position on the 18th,) three miles from Fort Cooper on the trail to Camp Chisholm, to the crossing of the Withlacoochee on the Tampa road, is eighteen miles. The course for the first fourteen miles southeast-by-south, and for the last four, northeast. At the distance of three miles above the old Indian town, the lake (Olocklekaha) or range of ponds, which we first struck on 30th March, terminates. The approaches toward the river between the ponds (if they be ponds, and not a lake) were narrowly searched, with a view to ascertain whether any access to a position for operation between the ponds and the river could be observed; I am satisfied that there is none. The only trail, above the Indian town, leads across the river at a point which we discovered to be the upper termination of the ponds, by pursuing this trail.

The course of my route corresponds very nearly with the course (supposed) given to the river by Colonel Gadsden in his draught. The bend of the river is more regularly curved than he has made it.

No ford practicable for wagons could be discovered, though there are several new-worn trails leading across. I have every reason to believe, from the sign which we observed in the route, that a considerable proportion of the enemy inhabits this region of country, but in detached parties, and that their last place of retreat will be either between the forks of the river, or between the ponds and the river, and that the true plan of operations against them will be that first designed by you; that is, by a force from Pelaklikaha, a force ascending by my route, and a corresponding one on the north side. The Indians can cross the river at various places with such facility, that no single force can proceed against them with any certainty of success. 21st. Crossed both branches of the river by the Tampa road, having left with Colonel Lindsay the fourth infantry, and taken up the mounted escort and Nelson's company. 22d. On this day one of the flankers (Bostick) was fired on as he passed very near a hammock. His horse was wounded under him. Prompt pursuit was made, but without success; the Indians retreated through the thick undergrowth too rapidly to be overtaken.

23d and 24th. Continued the march to Fort King, capturing and driving along about two hundred head of cattle. 25th. After leaving a supply of ammunition at Fort King, marched to Fort Drane. Men and horses much exhausted by sickness and the heat of the weather; another day's march would have occasioned the abandoning a part of the train; fifteen horses and mules died on the road, and eight were turned out that could not be got along by leading.

I must be permitted to express my high approbation of the gallant feeling manifested on all occasions by both officers and men, under the most trying circumstances attendant on a long and fatiguing march through a country almost unknown to the white man, and in charging through swamps and hammocks, wherever the track of the enemy was visible—all of which they bore without a murmur, and with the greatest firmness. I cannot close this communication without expressing my high gratification at being able to say that not the smallest difficulty occurred in the right wing, from the time we left Fort Drane until our return to it; and that the best and kindest feelings existed between the different corps composing the wing; and the only rivalry, who should occupy the post of danger.

I am, sir, with the highest respect and regard, your most obedient servant,

D. L. CLINCH,

Brigadier General U. S. army, commanding.

Major General Scott,

Commanding.

No. 121.

HEADQUARTERS, RIGHT WING, FLORIDA ARMY,

Fort Drane, April 27, 1836.

SIR : My report of this date will inform you of the operations of the right wing since we left Tampa bay. The four companies mounted volunteers from Georgia have been ordered to return to their homes. The two companies from Augusta, commanded by Captains Robinson and Bones, took up the line of march this morning for Augusta, via Picolata ; and the Louisiana volunteers left sick at this post when that gallant regiment left this, will march in the morning under the command of Lieutenant Wight, with the wagon train, for Garey's ferry, there to await your orders and transportation. There will be upwards of one hundred men, who will leave in the morning, that will require transportation on their arrival at Garey's ferry. The disposition of the regular troops so as to give the greatest protection and security to the inhabitants and their property, is one of much difficulty, and, owing to my peculiar situation, is one of great delicacy ; but it must be met. As it is generally considered that the occupancy and defence of this post is one of much importance to the military operations against the Indians, I have deemed it necessary to garrison it with five companies of artillery, and Captain Wharton's company of dragoons, from which a strong detachment will be sent to protect the property and provisions at Oakland, about six miles northeast from this post. I would strongly recommend the remounting of the whole of Captain Wharton's company with the least possible delay, as I consider it impossible to give quiet and protection to the country without this species of force, to aid and assist the troops acting as infantry. I shall order one company to take post at or near Micanopy, and the remaining company to Fort King ; and I do not think this force sufficient to keep the Indians within their former limits, without the aid of one hundred and fifty or two hundred mounted men from the adjacent counties. It is believed that, if proper encouragement is given, two or three companies of mounted volunteers can be raised for the period of six months, as many of the inhabitants will be prevented from making crops this year, and will of course be out of employment, and, if not employed by the Government, will be compelled to leave the country with their families. These men are well acquainted with the country, and could, with the assistance of the regular troops, scour that part of it lying between the settlements and the enemy, so as to deter them, except in very small parties, from harassing the settlements. These men should be permitted to subsist themselves and horses, as far as practicable, should they prefer doing so, as it is believed this plan would be most convenient to themselves, and less expensive to the Government, as their horses could do with very little corn when well grazed. I would, therefore, respectfully but strongly recommend the raising of this force as soon as practicable, and of stationing it at some point that will give the greatest protection to the country. About two o'clock on the morning of the 20th instant, the Indians made an attack on this place, but were met and repulsed by the garrison commanded by Captain Lendrum. They succeeded, however, in carrying off three of my negroes, and seventeen public horses. On the night of the 25th instant, the cotton and gin house belonging to Colonel McIntosh was burnt, and the loss estimated at about five thousand

dollars. The accompanying letter contains all the information received from the command established on the Withlacoochee, and, unless relieved by Major Read, I am fearful their situation will be a critical one. The major must, however, have reached that point long ere this.

I am, with high respect, your most obedient servant,

D. L. CLINCH,

Brigadier General U. S. A., comd'g.

Major General W. Scott,

Commanding Florida army, Pensacola.

No. 122.

TALLAHASSEE, *April 26, 1836.*

SIR: A few days since I received a communication from Major McLemore, stationed on the Suwannee frontier, informing me that, under orders from General Scott, he had ascended the Withlacoochee river, and erected a block-house on the south bank some ten or twelve miles above its mouth, and that he had left a garrison of 40 men in the block-house, and a large quantity of corn and pickled beef. This morning, at day-light, Major Read, of the Florida battalion, arrived at this place from the Withlacoochee, bringing the intelligence that he discovered at the mouth of the river one half of a large flat-boat, which had been cut in two, apparently with a dull axe, and by an inexperienced hand. His description corresponds with that given of the boat left at the block-house by Major McLemore, and I have every reason to fear that the block-house has been taken and the garrison massacred by the Indians. Colonel Read reports that he saw a number of fires extending along the coast as far west as the head of Wacassa bay, and has no doubt of there being a large number of Indians in that quarter. I have thought it proper to communicate this intelligence to you, and would respectfully suggest the propriety of sending a force to the block-house to ascertain the fate of the garrison, and, if they are still safe, to bring them off, unless it should be deemed more expedient by the commanding general to continue the force at that place. The detachment sent on this service should be strong enough to meet a considerable force, as I have no doubt of there being a large body of the enemy in that neighborhood. The block-house cannot be more than thirty-five or forty miles from Fort Drane; but, should it be impracticable for you to send a sufficient force by land to ascertain its fate, I have ordered a fortified boat to be in readiness at Suwannee Old Town to proceed with a part of the men at that place to the relief of the garrison, and transport it back to the Old Town, unless the commanding general should otherwise direct. You will, therefore, be pleased to send an express to Major McCants, commanding at the Old Town, and inform him whether troops have been sent by land to the relief of the block-house, or whether the boat, which will be in readiness, shall be sent on that service. Major Read was not apprized that there was a block-house and garrison on the Withlacoochee until his arrival at St. Mark's, and the disbanding of his command.

The report of his examination at the mouth of the Withlacoochee will be made out in a few days.

It is reported, on good authority, that the Creek Indians have recently manifested a restless disposition, and some apprehension is expressed of approaching hostility with them.

I am, sir, very respectfully, your obedient servant,
R. K. CALL,
Governor of Florida.

To General Scott,
or officer commanding Fort Drane, Florida.

No. 123.

FORT DABNEY, SUWANNEE OLD TOWN,
April 11, 1836.

SIR: In accordance with an order received through Colonel James Gadsden, from Major General Scott, Major McLemore advanced up the Withlacoochee with provisions, and established a block-house about four miles below the rapids or falls. There are between 500 and 700 bushels of corn at this post, defended by about 40 men. The position is eligible and commanding, and there is no difficulty in transporting any quantity of provisions as far as the rapids in flats or boats defended by bulwarks. There is at the station a fine large flat of this kind. Soon after our arrival at this post we were visited by an Indian dog, once in the morning, and a second time in the afternoon, when he was shot by one of the sentinels. With this exception, we saw no signs of Indians recently made.

By order of Major McLemore, commandant.

J. McCANTS, *Adjutant.*

To the OFFICER COMMANDANT at *Fort Drane.*

No. 124.

HEADQUARTERS, RIGHT WING, FLORIDA ARMY,
Fort Drane, April 29, 1836.

At a council convened this evening to consider a proposition submitted by the brigadier general commanding, were present—

Brigadier General Clinch; Lieutenant Colonel Bankhead, Captain Thruston, Captain Lee, 3d artillery; Captain Tompkins, 1st artillery; Captain Foster, Georgia volunteers; Major Cooper, Georgia volunteers; Captain Lendrum, 3d artillery; Captain Wharton, dragoons; Captain Seymour and Captain Brown, Georgia volunteers.

The question proposed was on information furnished by a letter from Governor Call, that a detachment of Florida militia had ascended the Withlacoochee river, nine miles above its mouth, on the 2d of April, under Major McLemore, and after constructing a block-house, had left there forty men, with several hundred bushels of corn, and a large supply of salted beef; that Major Read, on his arrival at Tallahassee on the 26th of April, from Tampa bay, had reported that, in passing the mouth of the Withlacoochee, he had discovered a boat cut in two, which he had

reason to believe, from the description of the boat left with the detachment, to be the same. Governor Call suggests, in his letter to the commanding general, the propriety of sending a force from this place to the block-house, to learn the fate of the garrison; stating, also, if that could not be done, that he had directed a force to go from Suwannee Old Town in a fortified boat, (the force to be supplied by a part of Major McCants's command there,) to the relief of the detachment.

The question submitted was on this information; and it was decided unanimously that a force adequate to the purpose could not be marched from this post. Not more than three hundred men could be raised at all capable of marching; that the physical ability of these is questionable, the whole being just returned from a most fatiguing and harassing campaign, in a state too enfeebled by exposure, hard marching, and sickness, to undertake a new expedition of 100 miles; that, admitting them to be capable in those respects, they are not in sufficient number to enter the heart of the enemy's country. There being no other troops now operating in the Territory, they must expect to encounter the whole strength of the enemy, which experience has shown to be competent to resist successfully the attempt of a much larger force to cross the Withlacoochee. The block-house is on the opposite side. The effort to be made from the force here would leave this frontier entirely exposed.

C. M. THRUSTON,
Captain, acting Adjutant General.

No. 125.

HEADQUARTERS, ARMY OF FLORIDA,
St. Augustine, May 1, 1836.

SIR: Your several letters, dated the 27th and 28th ultimo, were received this morning.

I approve of the disposition you propose to make of the regular companies under your command.

I wish you to cause to be mounted, as soon as practicable, the whole or the greater part of the detachment of United States dragoons. For this purpose you will use the public horses in the neighborhood of Fort Drane which may be fit for service, and not indispensable to transport to that place subsistence from Picolata or Garey's ferry. If you have not serviceable horses and mules sufficient for both objects, some can be sent from the left wing. The remaining horses and mules with you, you will take measures to have sent to the best district for grazing, and where they may be considered in safety for the summer and autumn, as all will be wanted at the recommencement of active operations. Your report on this subject, together with an estimate of the resources of the country for grazing and foraging cavalry and draught-horses, will determine the number of horses I may deem it necessary to send to you.

Your suggestion that 150 or 200 mounted men, in addition to the detachment of United States dragoons, should be immediately called for to aid in the defence of the Alachua settlements during the summer and autumn, I shall refer to the War Department, believing that the force with you, horse and foot, judiciously posted and employed, is sufficient for the present.

I also wish to learn from you what amount of subsistence, for men, you now have at Forts Drane and King, and what baggage-train is deemed indispensable to supply the required subsistence for the men to be posted in that vicinity (say) for the next six months.

You do not give me the number of the Louisiana detachment ordered to Garey's ferry to seek transportation to New Orleans. I wish you had sent them (if practicable) to St. Mark's, via Tallahassee. Perhaps a packet may be found in Charleston to take them home.

Send me a return of the regulars under you.

I still think it desirable, on account of the distance, to abandon Fort King—it covers nothing—but will take no step on the subject till I shall have heard again from you, and shall have received the instructions of the War Department. In the mean time, reinforce the post with the additional company, as you have proposed.

You say nothing as to the discharge of Major Cooper's battalion of Georgia foot. It may be discharged and paid at Garey's ferry or Picolata. Besides Paymaster Lytle with you, we have here Paymasters Kirby and Muhlenberg, both provided with funds.

By accident, I presume, you omitted to enclose Major Cooper's report of his defence of Fort Cooper.

When you shall have made all the arrangements suggested above, you will charge the officer next in rank with the defence of the Alachua frontier, and be yourself at liberty to retire. I shall be glad to see you here or at Picolata on public business. Your resignation I have, with sincere regret, forwarded for the acceptance of the War Department. The army will lose in you one of its best commanders. I shall probably remain in the vicinity for several weeks.

With high respect and regard, I remain truly yours,

WINFIELD SCOTT.

Brigadier General CLINCH,

Commanding right wing.

No. 126.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 1, 1836.

SIR: I have this moment received another express from you, bringing me Major Cooper's report, a letter from Governor Call, and the opinion of a council of war held at Fort Drane on the 29th ultimo.

From the two latter papers it appears that a small garrison, placed in a block-house on the Withlacoochee, on the 2d ultimo, may be considered in extreme peril, if not actually lost; and that the council has determined that no succor can be afforded from Fort Drane. It also appears, from Governor Call's letter, that the expedition under Major Read, sent by me to the mouth of the Withlacoochee, and to explore that river, with a view to the establishment of a post, at some future day, as high up as practicable, failed to ascend the stream even to the distance of nine miles; and, what is equally strange, it does not appear that any express has been sent to the Old Town, on the Suwannee, to inform the commanding officer there of the necessity of attempting to succor the party on the Withla-

coochee with the means suggested by the Governor, in case no relief could be afforded from Fort Drane. Instead of adopting one or the other of those measures, the whole difficulty has been referred to me, at this distant point, whereby much precious time is necessarily lost.

I differ from the opinion expressed by the council. I believe that 250 men would be a sufficient force, (a part being mounted,) and that that number might be safely detached from Fort Drane and its vicinity. If, then, as I have reason to apprehend, no express has been sent on the subject to Governor Call, and the post on the Suwannee, to say that relief cannot be afforded from Fort Drane, it is my opinion, and order, that the largest practicable and safe detachment be immediately put in march from Fort Drane, including regulars and volunteers, and all the dragoons or mounted men that can be obtained, to march to a point on the Withlacoochee opposite to the block-house, and there, by aid of a raft or swimming, to bring off the garrison, or, at the least, to ascertain its fate. Troops should be instantly sent from this vicinity, but for distance, and the consequent delay.

Of Major Read's failure to ascend the Withlacoochee, even to the extent of nine miles, I say nothing at present, his report not being yet received.

Please send a copy of this hasty note to the Governor of Florida.

I remain, with much respect, your most obedient servant,

WINFIELD SCOTT.

To Brig. Gen. CLINCH.

A few light carts should accompany the detachments to the Withlacoochee.

No. 127.

HEADQUARTERS, RIGHT WING, FLORIDA ARMY,

Fort Drane, May 5, 1836.

SIR: I have the honor to acknowledge the receipt of your letter (No. 2) dated the 1st instant, in which you state that three enclosures from me, to wit, Major Cooper's report, a letter from Governor Call, and a copy of the opinion of a council of the officers highest in rank at this post, convened on the 29th ultimo, had reached you by express.

The language and tone of that part of your letter which relates to the opinion of the council, and the course pursued by the commandant of the right wing, in conformity with that opinion, require a few remarks from me. Permit me to quote one paragraph of your letter, entirely at variance with the information officially communicated by me, as you will perceive by referring again to mine addressed to the chief of your staff, which went under cover with the papers acknowledged to have been received by you:

"And what is equally strange, it does not appear that any express has been sent to the Old Town, on the Suwannee, to inform the commanding officer there of the necessity of attempting to succor the party on the Withlacoochee with the means suggested by the Governor, in case no relief could be afforded from Fort Drane."

Now, in my letter to Colonel Gadsden, dated 30th ultimo, I report to you that "*I have*, this morning, sent off an express to Major McCants, with a copy of the Governor's letter, and informed him that the relief of the block-house on the Withlacoochee, could not be undertaken from this point." (I also sent a copy of the opinion of the council to Governor Call, with the same information.) If, therefore, the retained copy of my letter of the 30th ultimo be correct, I have "adopted one of those measures" which were held out to me.

It is evident, from Governor Call's letter, that, considering it doubtful whether succor could be furnished from this post, he had made other arrangements, by which the object in view could be accomplished; and his reputation as a military man stands too high to leave it doubtful as to the probable efficacy of those arrangements: this his letter to you clearly indicated. He had communication with the officers and men who established the post on the Withlacoochee, had full information on the subject, and would not have adopted means not likely to succeed. He certainly knew the difficulties to be encountered, and the means which would overcome those difficulties, as the same party had overcome them before.

Still, thinking it possible that his plan might fail, and feeling satisfied that relief could not be given from this point without great sacrifice, I have called on the citizens of the adjacent counties to rally to the rescue of their fellow-citizens, and have every reason to expect a successful issue to my appeal, for I think I have taken the most efficient means of embodying them. In a day or two I hope to have it in my power to make a strong effort for the relief of the block-house, or at least to learn its fate. The force of which I speak will be mounted—the species of force best calculated for the enterprise.

As to the other of "*those measures*," I am compelled in justice to say that the officers composing the *council* are gentlemen of talent, high and honorable feeling, and that they were ready to attempt any thing within the range of possibility, if there had been, in their judgment, any necessity for doing so. They were, however, perfectly acquainted with the true condition of the men composing this wing; they knew them to be enfeebled and *worn out* by the service in which they had been engaged, and which they had performed in a manner that would have done credit to veteran troops. Many of them were about to return home, and had still a long march before them. These considerations, and the advanced state of the season, forbade, in their judgment, a new expedition to the Withlacoochee, without subjecting it to consequences greatly to be deprecated. And the opinion of the council is sustained by subsequent occurrences; the sick are becoming every day more numerous, and the enemy making incursions upon the settlements on this frontier, which require here all the force at this post.

I regret to add, that Colonel Fitzpatrick, one of my aids-de-camp, whom I sent into the neighboring counties to endeavor to raise men for the expedition to the Withlacoochee, has returned without the success which I had promised myself. It is now *uncertain* and not probable, that the means will be derived from that quarter.

The plan suggested by Governor Call, in his letter, will, therefore, be the only one certainly to be relied on, and is no doubt now going on. I hope it may prove successful.

Major Cooper's battalion will be at Black creek about the 15th, and

will require transportation from that point, which it is desirable, on every account, to have provided against the arrival of the battalion. Its term of service expires on the 18th instant.

With this I send the return of this post, required by you in your last.

With sentiments of high respect, I am your most obedient servant,

D. L. CLINCH,

Brigadier General U. S. Army, commanding.

Major General SCOTT,

Commanding Florida Army.

No. 128.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 7, 1836.

SIR : I have had no late intelligence from the vicinity of Fort Drane. The last was orally received by Captain Drane.

On reflection, I am now willing to receive into the service of the United States, for six months, unless sooner discharged, one company of mounted Floridians, to aid in the defence of the Alachua settlements. This force, to be accepted, must be strictly organized according to the act of 1792, viz : sixty-four privates, four corporals, four sergeants, two musicians, one captain, one first and one second lieutenant, and one ensign or cornet. The two musicians are not indispensable, and more than sixty-four privates (say seventy or eighty) would be received with the four officers. My meaning is, that the number of officers must not exceed four to sixty-four privates. If a force of that extent can be raised in the Alachua settlements, let it be done as soon as practicable, and let application be made to the Governor for the commissions for the officers. Without waiting for the instructions of the War Department, I will instantly cause the company to be mustered into the service of the United States.

With Wharton's detachment of United States dragoons, eight companies of United States foot, and the proposed company of mounted men, I am persuaded that the Alachua settlements may easily be defended until the return of the season for recommencing active operations against the enemy.

Please cause a copy of this letter to be sent to the Governor of Florida, and let it be generally known in the neighboring settlements that a company of mounted men is wanted and will be accepted. Correspond with such individuals as may be known to be willing to aid in raising that force, and give all the encouragement in your power.

I have acted on but few applications for leave of absence which have reached me from the neighborhood of Fort Drane.

A few only of the officers, who have obtained certificates of disability, may be permitted, in extreme cases, to retire, and to make their application to me at this place.

A steamer (the Cherokee) is now at Picolata to receive discharged troops there or at Garey's ferry. She will be detained a few days longer, to await the arrival of Major Cooper's battalion.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General CLINCH,

or U. S. officer commanding Fort Drane.

No. 129.

HEADQUARTERS, ARMY OF THE CENTRE,

Fort Brooke, (Florida,) May 7, 1836.

SIR: In obedience to general order, dated at Tampa bay, April 14, 1836, the force under my command marched for the forks of the Withlacoochee river on the evening of the 14th instant. To protect the wagon-train in its passage over the Hillsborough, part of the command, consisting of the dragoons, United States artillery, and Nelson's Georgia mounted infantry, was detached with orders to cross the river, scour the hammock on the north side, and encamp on the outer edge of the hammock, and there await the coming up of the force the next morning. Notwithstanding this precaution, one wagoner, a private in Campbell's company Alabama regiment of volunteers, was killed by the Indians, and during the night the Alabama regiment was fired upon, and a sentinel, a private of Captain Cooper's company, severely wounded. The remainder of our march was effected without any disturbance from the enemy; and on my arrival at the Withlacoochee, not deeming it advisable to pass my wagon-train over the river, which was badly bridged, and subject, on the approach of the rainy season, now said to be at hand, to great freshets, I determined to pack my wagons and artillery, and pass over a light column of infantry for the purpose of making the required exploration of the country lying in the forks of the river; retaining, for the defence of the pack, the battalion of the fourth infantry, under the command of Lieutenant Colonel Foster, and the battalion of artillery, under the command of Major Belton. Colonel Chisolm was ordered with the regiment of Alabama volunteers, to scour the country in the forks, and report all the signs coming under his observation, indicating the movement or presence of the enemy. This officer proceeded with his command down the Big Withlacoochee, until he came to a point where the two streams were separated from each other by a distance of one mile and a half; he then crossed over to the Little Withlacoochee, and took up that stream until he fell in with the main road leading from Fort King to Tampa Bay; returning to my encampment by that road. For the particulars of his expedition I refer you to his report accompanying this communication, dated Camp Crabb, April 22, 1836. To whatever cause it may have been owing, whether to the knowledge on the part of the Indians of the concentration of the three corps of the army at the Withlacoochee on the 21st and 22d, or to the distraction produced in their views by the previous movement of the respective columns towards the point of concentration, I am unable to say; but the fact that there was a total absence of all signs indicating the presence or movement of the enemy near my position, was obvious. It did not occur to me, until subsequent events revealed it, that this tranquillity on the part of the enemy was delusive, and was the mask under which he was preparing to strike a blow which he no doubt trusted would crush us. My attention was directed to the execution of the ulterior duties connected with the expedition, to wit, the abruption of the post of Fort Alabama; and the more forcibly, as the want of forage and the consequent attenuation of my teams began to admonish me that my transportation would scarcely be adequate to the effecting even of that object. All the disadvantages of inadequate transportation were aggravated by the fact that seventy of the most destitute and helpless of

sick of Brigadier General Eustis's army were thrown off upon my corps; two-thirds of this number were so reduced and enfeebled as to require transportation in wagons. My own sick, in the mean time, had considerably increased; and on my return to Fort Alabama, instead of being able to remove the public property and stores from the post, as I had intended, I was brought reluctantly to the conclusion that the whole of my wagon-train was insufficient for the removal of the sick alone to Tampa bay, and that the abruption of the post must necessarily be deferred until the army could return with its transportation relieved from the encumbrance of the sick. Our march to Fort Brooke was not interrupted by the enemy, and, after resting a day and a half, procuring all the transportation which could be furnished by the quartermaster's department, *for the removal of all the public property and stores* from Fort Alabama, Colonel Chisolm, of the regiment of Alabama volunteers, was ordered with a detachment composed of his own regiment, the battalion of 4th infantry, under Brevet Lieutenant Colonel Foster, and a party of twenty of the 2d artillery, commanded by Lieutenant Morgan, to remove the troops at Fort Alabama, break up the post, and bring away all the United States property, whether of provisions or ammunition. The command had scarcely proceeded three miles from Fort Brooke when they began to discover considerable signs of Indians, all the trails leading towards Thlonotosassa creek; and after passing that creek, it was equally apparent that a party had crossed from the Hillsborough. The detachment, however, moved on unmolested to Fort Alabama, effected the duty on which it had been sent, and, on the return march, was attacked about 3 o'clock, P. M., just as the advance guard was preparing to cross Thlonotosassa creek, a small stream whose banks are lined with hammock and scrub, and whose course at this point presented the form of a horse-shoe, thus furnishing the Indians a dense covert, from which they were enabled to fire almost at the same moment on the front and both flanks of the column of march. The first fire, as is usually the case with Indians lying in ambuscade, and firing as it may be said at a rest, was stunning—killing and wounding a considerable number of the troops, and many horses of the baggage-train, in the centre column, that they became ungovernable and rushed furiously through the ranks of the flank columns, which were for a moment broken and disordered by them. But it soon occurred to Colonel Chisolm, that although the front rear and flank were nearly simultaneously and vigorously attacked, the real strength of the enemy was directed against the advance guard and the front of the column. Accordingly, three companies, under the command of Major Taliaferro, were ordered to sustain the companies in the advance and front of the column, who were suffering under a severe and galling fire from the enemy, which they vigorously returned. With a view to the relief of this part of the column, Lieutenant Colonel Foster also directed Lieutenant Morgan, 2d artillery, at the same instant, to open upon the enemy a fire from the six-pounder under his charge. The service was very promptly performed by Lieutenant Morgan, under a very heavy fire from the Indians, who hoped to silence the piece by cutting down the artillerists; and after a discharge of twelve or thirteen rounds, which it is believed galled the Indians very much, Lieutenant Colonel Foster, at the head of the infantry, charged into the hammock, attacked and drove the Indians, and thus put an end to a conflict which had been kept up with unremitting fierceness and rivalry on both sides for one hour.

The enemy, as soon as repulsed, became invisible, retreating through the cover of the thick hammock on the right: and the detachment, after being on the ground long enough to provide for the carriage of the dead and the wounded, and gather the scattered horses and teams, resumed the line of march, encamped about four miles from the battle-ground that night, and returned to Fort Brooke early the next day. It is impossible to read the reports of Colonel Chisolm and Colonel Foster, herewith forwarded, without feeling the highest gratification at the gallantry and coolness of the officers and corps engaged in this action. Without intending to detract from the merits of the regular force by saying such conduct was expected from them, I must be permitted to observe that many of the companies of the Alabama volunteers were placed, for a considerable length of time, under a galling fire, which they sustained and returned with a spirit which would have been highly honorable even to older soldiers. The fury of the onset, and the completeness of the repulse, leave us at a loss for the motives of the enemy in making the attack with such a disparity of numbers; nor can the difficulty be solved but by the supposition that their recent success on the north end of the Withlacoochee has inspired them with an overweening, insolent confidence in the superiority of their prowess, or that they rely on that power which makes them invincible in the twinkling of an eye to the enemy which proves too hard for them in the encounter. Prior to the return of this detachment to Fort Brooke, one-half of the Louisiana volunteers, with one hundred and twenty sick of the Alabama regiment, had embarked for New Orleans and Mobile. Transportation for the embarkation of three more companies of the Alabama volunteers, and the companies remaining of the Louisiana volunteers, being in the bay, they were directed to sail for Key West, and land the company of 4th infantry ordered to that post. Two companies of the 4th infantry, under the command of Brevet Major Sands, are in readiness to sail for the Suwannee, whenever transportation shall be furnished by the quartermaster's department for that place. Lieutenant Colonel Foster, with the remainder of the battalion of 4th infantry not detained here, accompanied the Louisiana volunteers to New Orleans, on his way to Baton Rouge. A force of three hundred and twenty regular soldiers, composed principally of the 2d artillery and 4th infantry, commanded by Major Wilson of the 4th infantry, will constitute the permanent force at Fort Brooke. The rainy season is believed to have set in, and, from what I have seen of it, I think it would be impossible to keep the field with bodies of troops without a great, and, for any objects which could be accomplished, a wanton waste of life. The weather, for some days past, has presented an alternation of heavy falls of rain, for one or two hours continuance, succeeded by a hot sun; thus exhibiting the two great agents of disease, heat and moisture, in their most active form. Two stockade redoubts are being constructed, and cannon mounted in them, with the view to sweep the entire plain on which Fort Brooke stands. Parties are also detached for clearing off the brush which might cover or conceal the approach of the enemy; and having made all the arrangements for the defence of the post, and the disbursement of the force composing the centre of the army, I shall embark to-morrow for Mobile in one of the transports which carries Nott's company. I am urged to this step by the state of my health, which unfits me for active duties, and which could not be restored during the continuance of the

rainy season. I have turned over the command to Lieutenant Colonel Crabb, who is only waiting for the arrival of transports to take home the remainder of the regiment, Alabama volunteers, to Mobile.

I have the honor to be, sir, with great respect, your obedient servant,
WM. LINDSAY,
Colonel 2d Artillery.

Maj. Gen. W. SCOTT,
Commanding Army of Florida.

No. 130.

CAMP CRABB, ON THE WITHLACOOCHEE,

April 22, 1836.

DEAR SIR: In compliance with your order of the 20th instant, directing a movement of the Alabama regiment to be made the next day down the Big Withlacoochee, with a view to scour the country in the forks of the river, I proceeded from this place on yesterday at sunrise, across the Big Withlacoochee, where the Fort King road crosses the same, into the forks of the two rivers of that name. My course, after leaving the Fort King road, about a mile from the river, was slightly north of west, and down the right bank of the stream just named, until I arrived at a hammock, represented by our guide as the "big hammock." At this place I proceeded with the regiment in nearly a north direction, for several miles, until I reached the little or western branch of the Withlacoochee; thence up that stream for several miles, until its course was nearly north; thence, leaving the course of that stream, I proceeded northeast for several miles; thence south of east on my return to the camp. In the course of the scout, I crossed several old paths, observing continually the appearance of the trails and woods for sign of the enemy. There appeared fewer evidences of Indians, cattle, or game, in the fork of those streams, than in any other suspected section of the country through which we have marched. The fresh tracks of a horse proceeding southwest with speed, along one of the trails alluded to, was the only recent sign we discovered of a probable hostile movement. The face of the country over which we passed was generally high and somewhat rolling, with occasional glades, lakes, and small hammocks; the growth was principally pine, with undergrowth of palmetto and other shrubbery, until we reached the big hammock, when there was a continuation of low land from one fork to the other, covered with live-oak, cypress, and forming one of the most dismal places I have ever seen.

Respectfully, &c.

WM. CHISOLM,
Colonel Alabama Regiment.

Col. WM. LINDSAY.

No. 131.

FORT BROOKE, TAMPA BAY, FLORIDA,

April 29, 1836.

SIR: I have the honor to report that, on the 26th instant, in obedience to your order, I accompanied (in command of the 4th regiment of United

States infantry and a detachment of the 2d United States artillery, with one six-pounder) the Alabama regiment of volunteers on the expedition to break up the temporary fort on the Hillsborough river, and to escort the garrison, and the ammunition and provisions in store there, to this post. My troops constituted the right column of the army during this operation. The command of the army was intrusted to Colonel Chisolm, of the Alabama regiment. The duty was performed in a *prompt* and *efficient* manner, and in a much shorter time than was supposed it would require.

On the 27th instant, about 3 o'clock P. M., the army, marching in three columns, with the baggage in the centre, and passing over a savannah, approached a hammock, through which ran a creek of considerable depth, but concealed from the view of any one on the plain. The Indians posted in the hammock, and *mostly* opposite the front guard and right column on the farther bank of the creek, opened upon the 4th regiment and the artillery a close, heavy, and well-sustained fire, at a distance, in many places, (their line not being parallel with ours,) of not more than *thirty* paces; in other parts, of from thirty to *seventy*, or *one hundred* paces.

Their first and second fires killed and wounded a number of horses of the baggage-train, consequently some confusion prevailed there for a few moments. In the mean time I pointed out to Lieutenant Morgan, of the artillery, the position in which I wished his gun to be placed. Finding the matrosses too few in number to effect this *promptly*, I ordered Lieutenant Alvord, of the 4th regiment, with half his company, (B,) and the pioneers of the regiment, to assist the artillery. My object was effected; and the gun was well and very successfully served during the action. It was essentially necessary to the army.

The 4th regiment had, during this time, opened its fire. The left column, composed of a part of the Alabama regiment, had entered the woods on their side. I found my command *alone* on the plain with the baggage, Colonel Crabb having entered the woods on his flank by order of Colonel Chisolm, who believed that position well calculated to defend the train. The fire of the Indians (completely concealed) was heavy; I did not hesitate; I knew my officers and men. During the firing, the regiment being in one rank, a pace apart, I could not be heard by the whole line; dismounted, and on foot, I passed from company to company, and informed them we must *charge* the enemy in his *ambush*.

At the moment I was ready I met Colonel Chisolm, who approved my plan, but informed me the regiment would have to pass — creek in the hammock. The charge was made, the creek passed, and the hammock won. The success of the 4th was announced to the army and to the enemy by three loud and cheerful huzzas. The battle ended *almost immediately* at all points.

The army was attacked by upwards of three hundred Indians—I judge from their fire, and the ground occupied by them. The fire lasted about an hour. I had with me Major Sands, Lieutenants Alvord, Scott, Prince, Mitchell, Tibbatts, and Reeve, of the 4th infantry, and Lieutenant Morgan, of the 2d artillery; and it affords me great pleasure to say to you that *all* in my command did their duty, and did it well; and I deem it a happy circumstance in my life that I had the honor to command officers so brave and men so good. Major Sands had his horse shot under him.

I met Colonel Chisolm twice during the battle. He was calm and de-

terminated in his acts, and does credit to his State and regiment ; and it is the opinion of a soldier who has seen twenty-four years' service, in peace and in war, that Alabama may be justly proud of her regiment.

I am, sir, with high respect, your obedient servant,

WM. S. FOSTER,

Lieut. Col. commanding 4th infantry.

The 4th infantry lost, during the whole operation, 2 privates killed and 3 privates wounded. Several severely hit, and 2 horses shot.

To Colonel WM. LINDSAY,

U. S. Artillery, commanding.

No. 132.

HEADQUARTERS OF THE ALABAMA REGIMENT,

Camp Crabb, April 30, 1836.

DEAR SIR: In obedience to your order, dated at Fort Brooke the 25th instant, requiring me to march, on the day following, "with the regiment of Alabama volunteers, the battalion of the 4th infantry, under Lieutenant Colonel Foster, and Captain Marks's company of Louisiana volunteers, to bring away the troops, ammunition, quartermaster's stores, subsistence, and public property of every description at that post," I commenced my march on the day following, and with the troops designated, excepting Captain Marks's company, in the place of which I had a piece of artillery, under the command of Lieutenant Morgan—the whole command consisting of little upwards of six hundred men. I pursued the usual route, and reached the fort a little before sunset. The next morning (the 27th) I directed the wagons to be loaded, and the two companies which had occupied the fort (Captain Bonham's and Captain Nott's) to be in readiness to march. The wagons, nine in number, were loaded with the ammunition, subsistence, &c., and the pack-horses packed ; and it being ascertained that [there was] a considerable quantity of pork and flour, (the damaged flour having first been selected and destroyed)—I consulted with the three senior officers in command, Colonel Foster, Colonel Crabb, and Major Sands, and, by their advice, ordered it to be destroyed—I began the march from the fort about 9 o'clock, A. M., and continued it, without interruption, until we arrived at the hammock on the Thlonotosassa creek, about eight miles from Fort Alabama. The order of march was in three columns, the centre in the road, composed of Captain Campbell's company, second battalion Alabama regiment, as advance guard : the artillery, the wagons, and the pack-horses, in the order mentioned ; and Captain Bonham's, of the 2d, and Captain Martin's, of the 1st battalion Alabama regiment in the rear, and forming the rear guard. The battalion of 4th infantry, under Colonel Foster, formed the right column ; and seven companies of the Alabama regiment formed the left column, three companies of the 2d battalion in front. In this order the advance guard approached near the creek, in front, and the whole column extended back through an open prairie, the rear guard just leaving the woods in the rear. A thick hammock, with the creek near its boundary, extended, from some distance in front of the advance guard, along and

near its right, and along a portion of the right column. On the right of the rear guard were pine woods, and a small hammock, and some thick undergrowth extended on the left of the rear guard, and along a portion of the rear of the left column. Nearly all the intermediate space was open prairie, extending far on the right to a large pond. In this situation a heavy fire of rifles was opened from the hammock, on the right, upon the advance guard, and on the right of the column of regulars, to which the artillery, wagon train, and pack-horses, and the three or four front companies of the left column, were entirely exposed. This fire was kept up uninterruptedly, and was soon followed by a fire on the rear guard, from the right of the road, and a few shots from the small hammock on the left. A well-directed fire was immediately returned by the artillery and the regulars, with good effect. The three companies of the left column in front—Captain Waters's, Captain Nott's, and Captain Minter's—were directed, under the command of Major Taliaferro, to extend around in front of the advance guard, where they took a position on the creek, and in the pine woods (thinly wooded,) over the creek, and returned the Indians' fire; which was kept up in good gun-shot distance, until the close of the action, and they retreated to the main body. The companies commanded by Captains Blount, Taylor, and Capee, under the command of Lieutenant Colonel Crabb, were ordered into the small hammock on the left, and the Indians retreated before them, and finally joined, as was supposed, those who were firing on the rear guard. Captain Dent's company, under the command of Lieutenant Childress, as ordered by Lieutenant Colonel Crabb, supported the rear guard, and they all fired upon and drove the enemy, which, in that place, they estimated to have been more than one hundred, entirely off.

Much praise is due to Colonel Foster, and to his officers and men, and to the artillery, for the part they took in the action, and the bravery and skill with which they directed a deadly fire on the Indians, and charged the hammock from which they fired—Colonel Foster evincing, during the whole action, the utmost deliberation and coolness. Captain Campbell's company was much exposed, being first attacked, and suffered much, and it is due to them to say that they kept their ground and fought bravely. The adjutant, and other staff officers of the Alabama regiment, including the surgeons, were much exposed, and discharged their several duties faithfully. The officers and men, generally, (among whom Lieutenant Colonel Crabb ought to be mentioned for his coolness and intrepidity,) went to the several posts to which they were directed with promptitude, and maintained them with courage, doing all that any troops could do under similar circumstances. Although there was some confusion from the surprise of the first fire—a great number of horses, not less than twenty, being killed or wounded, and the wagons and pack-horses were running in every direction—the men kept their ground until entire order was restored amongst them, so that all could occupy the best position to defeat the enemy. Colonel Foster, Major Sands, Captain Campbell, and two or three others of his company who were riding, foragemaster Jamison, and some others, had horses shot under them and fell. The action continued for an hour; the Indians fighting bravely, and coming out of the hammock, in many instances, to obtain near positions for firing. Their number is of course unknown, but, from the length of their line, and their continued firing, there could not have been less than from 300 to 400—

the lowest estimate I have heard being 300, and the general estimate much higher. A considerable number of them must have been killed and wounded, it being impossible to form any thing like an accurate estimate, as it is well known that they have some employed in carrying their dead and wounded immediately off.

On their retreat, which was sudden and rapid, I had all the wagons collected, (one excepted, which was so broken as to render it necessary to leave it,) and all the pack-horses which could be found, and marched on about five miles that evening, passing the large hammock near Simmons's old place, and encamped within ten miles of this place.

The following is a list of the killed and wounded, as reported by Doctor Doric S. Ball, surgeon :

Field and staff—M. Jamison, quartermaster department, killed.

Captain Dent's company—S. N. Archibald, Henry Webb, slightly wounded.

Captain Capée's company—Benjamin Parker, Joshua McIntyre, slightly wounded.

Captain Blount's company—None.

Captain Taylor's company—None.

Captain Martin's company—James C. Butts, Jas. W. Dodson, Felix G. Dodson, John Morgan, slightly wounded.

Captain Minter's company—W. Randall, badly wounded, H. Racford, slightly wounded.

Captain Nott's company—James Sankey, badly wounded.

Captain Campbell's company—W. J. Couch, dangerously wounded, S. P. Lewis, badly wounded, Dan'l Prentice, badly wounded, Peter Feely, killed, Henry Taylor, slightly wounded, Luke White, badly wounded, Wm. H. Orr, killed, L. B. Strange, badly wounded.

Captain Waters's company—Lieutenant B. R. Mobley, J. C. Boyd, Ensign J. Handley, slightly wounded.

Captain Bonham's company—James Vickey, slightly wounded. Three privates of the 4th infantry.

Total, 3 killed and 25 wounded.

Very respectfully, yours,

WM. CHISOLM, *Colonel.*

Col. WILLIAM LINDSAY,

Commanding Centre Army, Florida.

No. 133.

FORT BROOKE, TAMPA BAY,

April 26, 1836.

GENERAL : In conformity with your orders, the regiment under my command was embarked on board of the two transports furnished by the quartermaster. They commenced embarking on the 10th instant, about 5 o'clock, P. M., and were all on board by 9 o'clock, having been assisted by a boat from the United States sloop of war Vandalia, and by one from the United States cutter Dallas. The wind having died away, they did not sail until the 11th, about 2 o'clock, P. M. I went on board of the cutter Dallas, and hastened towards Charlotte harbor to stop the Vandalia's boats there, under the command of Lieutenant Powell. In order to be

sure of meeting Lieutenant Powell, whose boats were necessary in ascending the river, I went out of Tampa bay at night, and the next morning had arrived within 20 miles of Boca-Grande ; and, a few miles farther, met Mr. Powell on his way to Tampa bay, with all the fishermen and their boats. We did not get into the harbor until the 12th, when I sent for the boats of the Spaniards, and engaged them, and a man for each to manage it. The transports, not having come out the night we did, were later in arriving. As soon as the last one came, we immediately stood up the bay with the transports, the Dallas, the two boats of the Vandalia, and fourteen barges ; the larger vessels grounded about three miles from the anchorage marked on the map you gave me, being from thirty-eight to forty miles from the bar. As it was near night, we debarked but a part of the men, and concluded that duty and issued five days' provisions, and had them cooked the next day. The succeeding morning, (the 18th,) we started up the river. The boats, with the Spaniards and part of the crew of the Vandalia's boats, accompanied by Captain Green, of the cutter Dallas, and eighteen men, took the channel of the river ; while my regiment, and the remainder of the men under Lieutenant Powell, took the route by land, intending to keep the bank of the river in company with the boats. I soon found this impracticable, as it was very seldom, and at remote points, that the marshes and hammocks permitted any approach to the river bank. The weather being excessively hot, and our route being through the pine woods, where there was no fresh water, the men suffered extremely, and some of them, the most robust, fainted in the ranks. We at last struck the river bank at an open spot, and soon saw the boats arrive. As I saw it was impossible to keep up our communication with the boats, and we might be embarrassed by our sick and fatigued men, I ordered the whole to return under Major Marks from this place, (twelve miles,) except what could embark in the boats ; for this purpose, I sent back all the Spaniards, and deposited the surplus provisions in the bushes, and thus made room in the boats for 152 men and officers, and one day's provisions, besides the five cooked.

We then embarked, and went up the river until we found fresh water, where we landed and encamped. Our force now consisted of 91 of my regiment, under Colonel Lawson, 41 from the Vandalia, and 20 from the Dallas cutter, including officers. The next day we continued up the river, and encamped at the site of a deserted Indian village or camp—probably that mentioned by Colonel Gadsden.

Here we found some signs of recent occupation, as if by a passing band of ten or twelve, probably those who burnt Dr. Crain's house. The next morning we continued our course up the stream ; but now found it, in many places, very shoal, and obstructed by fallen trees. After cutting away some of these, and drawing our boats over the shoals, I found it would cause too much delay, even if we succeeded in getting up the river in this way. I returned, then, to our last camp, and left the boats there. We then crossed the river to the southern bank, and, passing about two miles through a thick swamp and hammock, intersected with gullies, came out upon the pine hills, and, falling into a trail which ran about a mile and a half to a cowpen, there encamped on the edge of the swamp. The next day we followed this trail, but, finding it led from the river towards the southeast, across an immense prairie, and observing that it had not been trodden lately, we left it and returned towards the river, and up-

wards along its course, but not within sight of it. About noon we descended to the river through the hammock, and forded it, and then across the opposite swamp out to the pine woods; after marching about ten miles further, about northeast, we encamped. The next morning we took up our march in the same direction, until 11 o'clock, when we halted; and, having no provisions, except for this day, I determined to return—the men having suffered very much from the heat and the very difficult nature of the country. Our route, from the vessels to this point, was in length sixty-nine miles, not including that in the shoal part of the river; but, having made a devious course, we returned in a straight line to our boats, and thence descended, with a strong current, to our vessels; making our descending route fifty-two miles. We embarked the next day after our arrival; and now (the afternoon of the 25th) one of the transports is here, and the other, a slower sailer, is off the bar.

There was no one among the fishermen or Indians at Choldez Roncho that knew any thing of the river, or who could communicate any intelligence in relation to the country. The Indian prisoner you sent with us had been up the river a short distance, but was unacquainted with any route or shore, and was of no further use except as possessing that sagacity which seems part of an Indian's nature—in finding his way in an unknown country. The result of our excursion is, I am sorry to say, far short of your expectations. We have only found a few deserted villages, and a tract of country without any signs of occupation for several months past, except by a very small party, passing through in one direction. I forgot to mention, in its proper place, that, just before fording the river the day before the last of our descent, we crossed a trail, running from a deserted camp on the river towards the southeast; it appeared to be the path of about 100 men marching by once, without cattle, but was more than two months old. The river is very crooked, and runs through a tract of swamps and hammocks about two or three miles wide, and which, under ordinary circumstances, would be considered impassable. In meandering from one side to the other of this swamp, it sometimes reaches the pine lands which lie on its outside, and it is only here that the stream can be conveniently approached. It may, therefore, be considered impossible to march troops on the banks of the river. At about two miles back from the swamp is a level tract of pine land, on which are the ponds we see throughout the whole country. These ponds feed a series of sloughs, overgrown with thick woods, and, at this point, very wide; but as the waters gather together, they form little streams, which, as they approach the river, cut deep gullies, but are very narrow, and furnish good water to drink; and it is here that a road running along the river would most conveniently pass. Farther from the river are the ponds, which do not, at this season, furnish water to drink, although the earth is moist. Next are the hammocks where the waters are collected, and which are too wide to pass; but where the gullies are deep and narrow, the water is very good, and the hammocks very narrow. Nearer the river you fall into the swamp. The country seems favorable for the pasturage of cattle, but, unless in the hammocks, the ground is not arable, and on the river all the hammocks seem to be overflowed when the river is high. The Indians seem to have entirely abandoned this part of the country, and the only trails seen seem to indicate they have gone towards the head of the Sanibel.

On our route we observed two considerable branches—one, the smaller, coming in from the north; the other, further up, from the south; the latter, at its mouth, seemed to be the deeper stream. Captain Thistle and two men went some distance up the first, and found it diminish to a small stream, at about eight miles.

Lieutenant A. Ross, of the marine corps, accompanied the expedition as a volunteer, and was placed in command of one of the columns. I owe much to his zeal and exertions, and am sure his well-known gallantry would have displayed itself if any occasion had offered. Lieut. Powell, of the navy, headed a gallant band of 40 men from the *Vandalia*. He took charge of the fleet of boats while we were on the river, and left nothing undone to secure our success, nor was he less zealous when on the land. Captain Green, of the revenue cutter *Dallas*, also accompanied us the whole of the route, and, when they left their boats, rivalled the best soldiers, not only by their discipline, but their activity. Indeed, the exertions which these officers have made, and the manner in which they have anticipated every wish I have expressed towards the objects of the expedition, merit my warmest thanks; and if ever it should be my lot to co-operate with those branches of the service, I can wish no better fortune than to be connected with gentlemen of their character and abilities.

The Spanish fishermen have, I believe, left Charlotte harbor, but without any good cause, for they have never been troubled by a party of more than six or seven, and they are thirty strong. As soon as the troops can re-embark, we will sail for New Orleans. I will, however, pass by St. Mark's, in order to send this report. Although the result of our expedition must disappoint your expectations, you must incur the censure for having intrusted it to one of so little experience.

Your obedient servant,

PERSEFOR F. SMITH,
Colonel Louisiana volunteers.

Major General WINFIELD SCOTT,
Commanding the Army of Florida.

No. 134.

SIR: I was directed by his excellency Major General Scott to forward my report to you for your perusal, and to request that you would have it transmitted to him at Garey's ferry, on the St. John's, if at that place, or wherever else he might be at the time of its reception by you.

I am, sir, most respectfully, your obedient servant,

LEIGH READ,
Major, commanding Florida volunteers.

To General D. L. CLINCH.

TALLAHASSEE, FLORIDA,
April 27, 1836.

SIR: I have the honor to report that I succeeded in getting my entire command aboard of the transports furnished me by the quartermaster, and

was off the mouth of the bay on the morning of the 18th instant. Midshipman Reid, of the *Vandalia* sloop of war, reported himself to me as in command of two cutters of that vessel, and ready to receive my orders: the second cutter was placed under Midshipman Drake.

I had not the good fortune to procure the personal presence of Captain Bunce, upon whose acquaintance with the coast of Florida and general experience as a pilot I had relied very greatly. He furnished me, however, with a small sloop and three Indian sailors, who were represented as being quite familiar with the coast, &c. I derived no further assistance from them than what, in obedience to the orders of their master, they were obliged to impart, viz: to conduct me to the mouth of the Withlacoochee; and when asked about the character of the interior, no satisfactory information could be procured—it was often contradictory. I resorted to liberal potations of ardent spirits, as a means of extracting from them information which I have no doubt they possessed; but the characteristic caution of the people was still observed. Some of them were always sufficiently sober to prevent indiscreet or dangerous communications. In all this they did not, as I believe, (and I wish your excellency so to understand me,) intend faithlessness to me or the objects of the expedition, as far as they comprehended them; but they were only true to me as far as they understood the letter of their instructions, which, as above remarked, was to pilot me to the mouth of the river. They did not, or would not, believe that it was any part of their duty to do more; and I could not convince them to the contrary.

I sailed as rapidly for the mouth of the Withlacoochee as the winds would permit me, and as near the shore as the small vessel, aboard of which I was myself, would allow; but could never get nearer than a quarter of a mile. The transports could not approach closer, during the first two days, than about 15 miles; and on the third day, when arrived off the mouth of the river, they were quite out of sight—upwards of 20 miles distant. When informed that the mouth of the Withlacoochee was near, I despatched all the small-craft to the transports, with orders to the officers in command aboard of them to commence debarking their men as fast as possible, intending in their absence to make a selection myself of a key among the almost innumerable cluster lying off the mouth of the river, as the point upon which the debarkation was to be effected. On the return of the boats transporting, as I had ordered, as many men as they could receive, the morning reports of the officers in command were handed me, by which the frightful picture of an increase of forty (40) to the sick-list in less than two days was presented. Special communications from the surgeons were also handed me, in which the most horrible consequences were predicted, unless the men could be taken *forthwith* to some place where medicines and good water could be procured. The water aboard of the schooner *Caroline*, it was said, had already become putrid. Without going aboard, I despatched an order for them to hoist all sail and proceed, with the utmost possible despatch, to St. Mark's, the nearest port. I remanded aboard of the transports the detachment first ordered to debark, and directed a select number of them to join me on board of the small-craft, for the purpose of making the *reconnaissance* and surveys, which, I find upon perusing my order more carefully than at first I did, were the principal objects of the expedition.

I have found the Withlacoochee to be as difficult to discover as it is to

enter after discovery; and in regard to the latter, it is worthy of that which may heretofore have been said of it. It disembogues itself by four large, that is wide, and almost innumerable small mouths, amongst oyster banks, rafts, sand-bars, islands, and without calculation. When informed by the pilot that we were almost at the mouth, I went, myself, into the second cutter of the *Vandalia*—it drew less water than the other—taking with me only two of my detachment, and attempted to enter it, but was under the necessity, in order to do so, to have the boat hauled some fifty yards, the water not being over eight inches on the bar for that distance. I ultimately succeeded in getting over, and, after ascending nearly a mile, found two and a half fathoms. *The mouth, the one on the south of a large island called Amurura island, by which I entered, is much the widest.* The northern one, however, affords the best water; where, when a freshet above and high tide below may unite, four feet may be carried over the bar; but the channel on that side is of very dangerous navigation on account of the number of rocks in it.

The country around the mouth of the river is a low flat marsh, through which I conceive it impossible to make an ingress with an army into the interior. When once fairly over the bar at the mouth of the river, there would be no difficulty in ascending the stream; but steamboats only, and those must be of light draught, could effect that object.

When I had gotten over the bar, I proceeded some two miles and upwards to within a short distance of a large smoke, the fire that afforded which was perhaps three miles distant. I deemed it not prudent to go farther, and caused the boat to return, and went out by one of the small outlets. I had seen fires the night before near the mouth of the *Wa-wau-cui-a-yu-hacka*, and from that place I discovered smoke during the day, and fires at night all round the coast to within a few miles of *Suwannee Old Town*. The Indians are evidently there in great number, and are, I have very little doubt, engaged in preparing for a crop this season, by burning the old grass from the woods, for the benefit of their cattle, and putting their small potatoes in cultivation.

I saw no smoke west of the *Steinhache*, or indeed nearer than fifteen miles of the *Suwannee*. During the whole voyage, I kept as near the shore as I could approach from *Tampa bay* to *St. Mark's*, and I am clearly of opinion that there is not, perhaps, anywhere to be found so shoal coast as the one along which I sailed. The average depth of water from one to the other of those places, where I sailed, cannot be more than seven feet; and the shore cannot be approached at any place, where I had an opportunity of examining it, or it was deemed important to examine it, with that draught, nearer than two miles.

From *Cedar keys*, by a *S. S. E.* direction, seven feet may be taken up to within two miles of the mouth of the *Withlacoochee*; but at every other point that might probably be selected to debark troops, reefs and oyster-bars abound. I have seen several islands near the mouth of the river that might possibly do very well for depots, where I have no doubt fifty men might repel any attack that the enemy could make upon them; but I doubt whether it might not be a better fate to send that number into the country, to go the way that *Dade's*, and I much fear *Holcoman's* comrades have gone. If, however, the Government will employ a steamboat, there will be no difficulty in throwing into the country, either at the *Wacassa* or *Wa-wau-cui-a-yu-hacka* rivers, or both, any quantity of supplies,

as well as any number of men, that may be wanted. The latter river may be approached with five feet, and, as I understand, ascended to its head, some six miles, where a beautiful and elevated country is to be found, and where I am of opinion the women and children of the enemy have been secreted. I should deem the chance of success so great, in an expedition up that river, that I should be greatly gratified to have command of it. I am confident I should be able to make a good report.

Your excellency did me the honor to desire that I should submit, after surveying the whole grounds as nearly as I could, a recommendation of a plan of campaign against the enemy, from the mouth of the Withlacoochee, should such ever be determined upon. The plan I suggest is this: Let a steamboat of light draught of water be properly prepared with bulwarks, particularly on the hurricane deck; be manned with (say) five companies, and ordered to ascend, first one and then the other of the rivers above named, viz: Wacassa, Withlacoochee, and Wa-wau-cui-ayuhacka. They will be able to produce a prodigious effect, I have no doubt. At all events, a healthy site may be found, at which to establish a depot, and from which operations may hereafter be commenced.

I discovered, at the mouth of the river, the half of a flat-bottom boat—a common ferry flat-boat, it appeared to have been. It had been cut asunder by an awkward hand and a dull axe. When I arrived at St. Mark's, I found, much to my astonishment, mortification, and regret, that your excellency had ordered Major McLemore to establish a depot at that place; and instead of being a "*new field*," as it was described to be, another had been ordered to precede me. *All of which was studiously concealed from me.* I did not hear, either from your order or from the numerous interviews which I had the honor to hold with your excellency, that Major McLemore was even in the field, much less that I was going to relieve a detachment of his command, ordered out by your excellency.

Your obedient servant,

LEIGH READ,

Major command'g Florida Volunteers.

To His Ex'cy Major General SCOTT,

Commanding Florida Army.



No. 135.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 11, 1836.

ORDERS No. 46.

The commander of the left wing will immediately cause to be mounted two of the companies of United States artillery of this wing, using for that purpose the horses of the baggage train.

The companies, under a system of instructions which will be formed, will be immediately employed in patrolling and scouring the frontiers and other exposed settlements this side of the St. John's.

The three remaining companies of the same regiment will be placed in such positions as to afford the best point of support for the mounted companies.

By command of Major General Scott.

J. E. JOHNSTON,
Aid-de-camp, and Asst. Adjutant General.

No. 136.

HEADQUARTERS, ARMY OF FLORIDA,
St. Augustine, May 11, 1836.

SIR : I have been using my best endeavors, since my arrival here, to cause a company of mounted Floridians to be raised to aid in the defence of the settlements between the St. John's and the Atlantic. You have been recommended to me as an individual highly qualified to command such corps, and I am also informed that you have already enrolled about twenty-four men. I have to request that you will proceed in the business of enrolment, as it will give me great pleasure to recognise a company with you at the head of it.

A company, according to the act of Congress, (passed in 1792,) must consist of at least 64 privates. To that number, a captain, a first and second lieutenant, an ensign or cornet, four sergeants, four corporals, and musicians, are allowed by the same law. I learn that a new act of Congress, that has not yet reached me, has been very recently passed, which may be more favorable to volunteers.

I would prefer a company of 70 or 80 privates to one of 64; but so important do I deem the company, that I will accept it with 40 privates. In this case, however, only a captain, a lieutenant, and a cornet can be accepted with it.

I have to add, that the company, as soon as raised, shall be taken into the service of the United States for six months, unless sooner discharged, and in all respects placed on the most favorable footing. It will be indispensable that I should apply to his excellency the Governor of the Territory for commissions for the officers of the company : this can be done after the company is accepted, so as to avoid delay ; and, under present circumstances, not a day ought to be lost.

I remain, with respect, your most obedient servant,

WINFIELD SCOTT.

To DOUGLASS DUMMETT, Esq.

No. 137.

HEADQUARTERS, ARMY OF FLORIDA,
St. Augustine, May 16, 1836.

ORDERS No. 47.

The volunteers having returned to their respective homes, the distinctions of right and left wing, and centre, have ceased in this army.

Major Heileman will repair to Fort Drane, and relieve Lieutenant

Colonel Bankhead in the command of the troops on the Alachua and Suwannee frontiers. On being so relieved, the lieutenant colonel will be permitted—reporting himself to the adjutant general—to retire from Florida for the benefit of his health.

WINFIELD SCOTT.

No. 138.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 17, 1836.

ORDERS No. 48.

The panics which have recently possessed the good people of several large districts of this Territory are infinitely humiliating.

Within a few days, just five Indians penetrated a neighborhood in the heart of Middle Florida, and committed a murder. Instead of giving pursuit, the inhabitants abandoned their plantations, and fled to Tallahassee and Monticello.

A similar party had but a few days before thrown the Micanopy settlement into the utmost confusion. A gang of cow-stealers adroitly added a report that an immense fresh Indian trail had been observed crossing the Tallahassee road, near the Santa Fe bridge. The whole country, from Micanopy to Black creek, instantly became wild with fear. The daring falsehood was immediately exposed by Colonel Fitzpatrick and Captain Shannon of the army, who happened to pass that way, together with the motive of the propagators; but the inhabitants could see nothing but an Indian in every bush, and therefore continued to fly.

On this side of the St. John's a keen susceptibility of the same kind prevails. A small party of the enemy lately ventured within the settlements. A company of regular foot was promptly mounted, sent in pursuit, beat the enemy, and secured most of the property the marauders had taken. Now, although it is known to all cool people that the greater number of the party were killed outright, and that a like fate awaits any body of the enemy that may follow, a panic is rife throughout the country. The inhabitants are still flying to St. Augustine, and from St. Augustine to Georgia and South Carolina.

It is evident that no general, even with extensive means, can cure a disease in the public mind, so general and so degrading, without some little effort on the part of the people themselves. Thus the planters in the recent case near Tallahassee, who fled without knowing whether they ran from squaws or warriors, ought first to have ascertained that material fact. If they had turned upon the enemy, they would have found the case within the easy compass of any three or four resolute masters, and half as many overseers. This was the simple and manly course. That adopted was, to fly, to spread the panic, and to throw execrations upon the general who has the misfortune to command a handful of brave troops in the midst of such a population.

Not a regular company has been sent out of the Territory, except, possibly, three from Tampa bay. Besides a strong garrison there, two companies were directed thence to occupy a post on the Suwannee; two

are posted at Fort King; five at Fort Drane; one (mounted United States dragoons) at Oaklands, six miles off; one at Micanopy, and a twelfth at Garey's ferry.

These forces ought, in the opinion of the commanding general, to give reasonable security to the Alachua and Suwannee frontiers, particularly if one or two companies of mounted men can be obtained to aid the company of dragoons in scouring the country between the chain of fixed posts. Measures have been taken to encourage the enrolment of mounted men, and it is understood that the Governor is exerting himself in the same way. His excellency will, moreover, to complete the means of defence, be requested to hire, on the account of the United States, at Apalachicola or elsewhere, a suitable steamboat to cruise from the mouth of the Suwannee up that river as far as practicable. One of the companies, supposed to be already on the river, will be instructed to embark and remain on board the boat.

On this side of the St. John's, the means of defence, though much more limited, are deemed fully adequate, if aided by a single company of mounted volunteers; and one, it is hoped, will soon present itself for the service. Of the five regular companies, one has already been mounted on horses belonging to the wagon-train, and in a few days another will be put on horse-back by the same means. The commanding general has no power to purchase horses expressly for this purpose. The companies on foot will be posted, whilst the mounted will be kept constantly in movement: and it may be added that the little armed steamer called the *Essayons*, belonging to the United States, will be kept daily cruising up and down the St. John's.

The post and steamboat on the Suwannee, Fort King, Oaklands, Micanopy, and Garey's ferry, will all be under the immediate orders of the field officer, Major Heileman, stationed at Fort Drane, and he will communicate freely with the Governor of the Territory.

Should the post ordered to be established at Watson's or Dabney's plantation prove to be unhealthy, the commanding officer is authorized to remove higher up the river, in search of a better position, giving the preference to the left bank of the stream.

WINFIELD SCOTT.

No. 139.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 17, 1836.

SIR: I had the honor to receive your excellency's letter dated the 28th ultimo, a few days ago. I was then too sick to reply, and now, with much difficulty, hold my head up to write.

I am happy to hear that you have taken measures to put a certain force of mounted men into the field to aid the regular troops in defending the exposed frontiers. One or two companies of that description would be highly effective on the Alachua and Suwannee frontiers, and one other similar company is wanted on this side of the St. John's. I myself had taken such measures as were in my power to effect both ob-

jects, intending, of course, to refer the officers at the proper time to your excellency for approval and commissions. Some of my views on those points are stated in my order No. 48, a copy of which I beg herewith to submit.

Should a larger mounted volunteer force be deemed by you as necessary, on either or both of the frontiers, I shall cheerfully yield my judgment on the point to that of your excellency.

Permit me to ask you to carry out the suggestion of the enclosed order in respect to the steamer to be employed in cruising up and down the Suwannee river. Instructions shall immediately go to the commanding officer on that river to place a company on board the steamer, and to take charge of her. His cruising orders will be, besides keeping the post well supplied with provisions, to move continually up and down the river, to prevent the enemy from passing to the west side; to land the troops, if necessary to reach parties of the enemy; to capture boats and canoes.

All the horses at my disposal and fit for service are required to remount a company of United States dragoons, to mount two companies of foot on this side of the St. John's, and to supply the vicinity of Fort Drane with subsistence.

Brigadier General Clinch's resignation left Lieutenant Colonel Bankhead in command of the Alachua and Suwannee frontiers; but as his health is bad, I send Major Heileman, a sound and intelligent officer, to replace him.

I have, from rumor, been for some days expecting to hear of your arrival in this vicinity. It would give me great pleasure to meet and confer with you on all points connected with the defence of Florida, or the best manner of recommencing hostilities.

Major Read, no doubt for good reasons, has neglected to report to me. I can only say to you that he had written and oral orders, explicit and emphatic, requiring him to ascend the Withlacoochee to the highest point of navigation; to ascertain the best site for a military post, &c. He also *unofficially* knew that it was deemed, in the right wing of the army, just possible that he would find a blockhouse already there with a garrison. Therefore, when he saw the part of the flat, described in a former letter of yours as being *rudely cut in two by a dull axe*, he must have had all previous uncertainties about such post cleared up at once. I, however, forbear to say more on this point at present. My correspondence with Brigadier General Clinch on the subject of the blockhouse has been, I presume, sent to you by that general, and I hope daily to learn that the expedition intended for its succor, from the Suwannee, has fully succeeded. The flat, I presume, got adrift, and thus fell into the hands of the Indians.

I remain, with great respect, your excellency's most obedient servant,
WINFIELD SCOTT.

P. S. Colonel Lindsay had instructions, on his return to Tampa bay, not only to send *two* companies of the United States fourth infantry to the Suwannee, but one of the same regiment to Key West. It is presumed that both orders were executed. I will beg your excellency to cause a field-piece to be placed on the bow of the steamer to be hired for the Suwannee. If not nearer, one may be obtained at Tampa bay.

I have already received a strong demand from the Mayor of Savannah for a company to be sent from Florida. Of course I shall not comply.

I will beg of your excellency to urge upon Commodore Dallas the importance of keeping the cutters and the smaller United States vessels constantly cruising around Florida, to prevent the escape of captured slaves, and to prevent the Indians from receiving arms and ammunition from traders.

W. S.

His Excellency R. K. CALL,
Governor of Florida.

No. 140.

TALLAHASSEE, *May 26, 1836.*

SIR: I have the satisfaction to acknowledge the receipt of your letter of the 17th instant, and a copy of your order No. 48, by express.

Before your return from the field, having heard that the Indians had reappeared in Alachua, I ordered Colonel Sanchez, of that county, to call out the whole available strength of his regiment, and Colonel Warren to send fifty horsemen from Duval, for the purpose of protecting the frontier. I subsequently divided East Florida into two districts, giving Major Pulman charge of that east of the St. John's, and Colonel Warren that between the St. John's and Suwannee rivers, with authority to each of those officers to call from their respective districts such a number of men as would effectually hold the enemy in check and give security to the settlements. The population of that county was fully adequate, with the aid of the regular force, to perform this duty; but it appears that they have retired without resistance, leaving the enemy in undisturbed possession of their homes. A panic highly dishonorable to the whole country has spread over the land, when, by one manly effort, the enemy might have been repulsed, and their homes and property defended. I shall adopt the necessary measures to hold the officers accountable for their neglect in not executing my orders. In Middle Florida I shall have in the field in a few days 200 men, the greater part of whom will be well mounted. This, with the regular force you propose stationing on the Suwannee I think will give ample protection to this section of country, if we are not invaded by the Creeks. To guard against that contingency, I have sent special agents to confer with the Governors of Georgia and Alabama, and to request that each of those States may place on the southern and eastern frontier of the Creek nation a formidable force to prevent the retreat of the Indians to Florida.

The steamboat sent to the Withlacoochee for the relief of the block-house, has orders to ascend the Suwannee as far as the Old town. She has about one hundred men on board, which, with the detachment of horse I have ordered to that place, I hope will meet them in time to cut off the Indians I mentioned in my last as crossing the river. This boat I will keep employed in the manner you have mentioned until another can be procured. She wants a six-pounder, and can be rendered very efficient.

I shall by the mail of to-night address Commodore Dallas on the sub-

ject of guarding the coast from the visits of Spanish fishermen, agreeably to your request.

The plan of defence which I have had the honor of presenting by Colonel Fitzpatrick, appears to me to offer the greatest certainty of success, if it can be adopted. This, however, will depend on the number of regular troops you may be able to concentrate at the point designated. Four or five hundred militia can be drawn from the Territory, and if a force of 1,200 men can be assembled, I should think it sufficient; but of this you are the better judge. Should you think favorably of the plan, you will please advise me, in order that I may take the necessary measures for calling out the militia.

Very respectfully, your obedient servant,

R. K. CALL

Major General W. Scott,
commanding the army in Florida.

No. 141.

WAR DEPARTMENT,

June 1, 1836.

SIR: I have the honor, by direction of the President, to transmit you a copy of a communication addressed to him by the honorable Joseph M. White, the delegate in Congress from Florida.

You were advised, on the 25th ultimo, of the arrangements that had been made for the prosecution of the campaign in Florida, in the event of your having left that Territory, and General Clinch's having withdrawn from the service. The intelligence, recently received, of your illness at St. Augustine, rendered it doubtful whether you would be able to continue in the command. The instructions to General Call were, therefore, full, and gave him authority, if General Clinch retired from the army, to take the general direction of the operations in Florida. I am instructed to inform you that, under these circumstances, the President deems it unnecessary for you to return to the command in Florida.

Very respectfully, your most obedient servant,

C. A. HARRIS,
Acting Secretary of War.

Major General Scott,
Fort Mitchell, Alabama.

No. 142.

WASHINGTON, May 28, 1836.

SIR: By orders recently issued from the War Department, it is directed that, should Major General Scott leave the headquarters of the army in Florida and retire from that command, it will devolve on Brigadier General Clinch. This order leaves to the discretion of General Scott the period of his departure. It is with the greatest pain that I feel myself constrained by a sense of duty to my constituents, respectfully to ask that

General Scott be immediately relieved from the command. No man has more admiration for the gallantry or respect for the military achievements of General Scott than I have.

From the present attitude of affairs, and unfortunate and disagreeable occurrences which have happened in that quarter, the public interests, as well as the lives, security, and property of the inhabitants, imperiously require the order I have recommended. There is no harmony between him and the public authorities of the Territory; and it is evident that he is in the highest state of exacerated feeling, on account of an atrocious outrage on all decency and propriety, in burning him in effigy at Tallahassee. This infamous proceeding, which ought to have been arrested and punished by the authorities at the seat of Government, does not justify General Scott for the degrading epithets and insults he has offered to a whole population. In his published orders he represents the conduct of the people of Middle Florida as "infinitely humiliating," and the people "wild with fear," possessed of "a disease so general and so degrading."

This is not the usual language of a major general commanding on our frontiers, and should not, under any circumstances, be resorted to, whatever may have been the disappointments and wounded sensibilities of a commanding general. I ask upon what authority he says there were just "five Indians" who have produced that consternation, panic, and flight, of which he has drawn a picture so derogatory to the whole population? It is well known that the Indians never show their whole force, and if five have penetrated into the country from the Indian boundary to within a few miles of the seat of Government, a much larger number will soon follow. As General Scott did not succeed with *five thousand* men in destroying *five Indians*, he might have spared the inhabitants he has left defenceless such degrading denunciations. As that, however, is an affair between him and the Governor, as to the number of the enemy, and the defence of Middle Florida, I shall proceed to what is the object of this communication.

My purpose is, most respectfully, to request an inquiry into the manner of conducting the late campaign in Florida, and into the conduct of the major general commanding, for having gone into summer quarters the last of April, leaving the country without defence, and the inhabitants at the mercy of the Indians.

Major General Scott had power to call upon the Governors of South Carolina, Georgia, and Alabama, for any number of men that *he* might consider necessary to put an end to the war. Congress, by law, had provided ample means; and whilst *he* was in command the Governor of Florida had no power to call for troops. General Scott, after one unsuccessful campaign, *disbanded* the whole militia force; but the term of service of a portion of it had expired, and has neither called, by draught or for volunteers, for any other further military force. He has, on the contrary *refused* the acceptance of some that was offered, and has disarmed the militia of East Florida.

When called upon now to furnish adequate force for the protection of that frontier, he complains of his limited means; when it is apparent, from the above statement, that his means are only limited by his discretion; and that he has power at any moment to order any number from Georgia or South Carolina. He admits that 3,000 men are necessary to subdue these Indians, and that he has but 1,000 under his command.

Now, I ask why it is that he has not these 3,000 men in the field that he deems necessary? He, and he *alone*, is responsible for all the lives and property of the inhabitants that may be destroyed for the want of that protection and security for which every citizen of the republic has a right to look for from his Government. Added to this the feelings of the people are outraged by representations calculated to degrade and expose them to ridicule throughout the United States.

These people, you are aware, are sparsely settled over an extensive territory, in detached neighborhoods, without any dense population to fall back upon, or without any fortified places in which to place their wives and children for safety. If, upon the first sound of alarm, some small neighborhood should go in pursuit of even *five* Indians, they might, as they did with General Scott's grand army, dodge out of the way, and fall back upon the women and children in the rear. It is unnecessary, however, to detain you with these details: the complaint I make is, that Major General Scott has left that country without adequate protection, and has not a sufficient force either for offensive or defensive operations. He has produced a state of feeling that forbids all harmony or concert with the local authorities, or people of the country; and the public interests imperiously require his immediate withdrawal.

I have the honor to be, with high considerations of respect, sir, your most obedient servant,

JOS. M. WHITE.

To ANDREW JACKSON,
President of the United States.

No. 143.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 21, 1836.

SIR: In justice to myself, I beg leave to say a word in defence of my order issued in Florida, and numbered 48, on the subject of panics in several large districts of that Territory. That order was written when I was still quite sick; but upon the most certain and precise information. It has brought upon me much abuse. A copy of it was enclosed by me, with a letter to his excellency Governor Call. In reply, I have just received from him a letter *via* St. Augustine, dated the 26th ultimo, in which he says: "A panic highly dishonorable to the whole country has spread over the land, when, by one manly effort, the enemy might have been repelled, and their homes and property defended." This is sufficient confirmation of my assertions, if any were wanted. Besides, I was advised, by respectable citizens of Florida, to come out with an order in that spirit, as likely to rally the inhabitants, and I have reason to know that the order did good. It further stated what had been done for the defence of the settlements, and what remained for the inhabitants to do for themselves; that is, it was shown that to complete the defence of the settlements, three companies of mounted Floridians were required.

It is utterly false that I ever offered the slightest disrespect to the civil or political authorities of Florida; and all the candid and intelligent offi-

cers of that Territory, with whom I conversed, agreed with me as to the inefficiency of their militia generally.

I disbanded, nor caused to be disbanded, not a company of volunteers, until within a few days before or after its term of service was out. Major Ross's battalion of mounted Georgians that arrived at Picolata about the 10th of April, having then three months to serve, was sent home with honor by Lieutenant Colonel Crane, after advising with Major General Macomb. I had no hand in that act. On the contrary, I instructed Lieutenant Colonel Crane that, in case more mounted men should arrive from Georgia, to receive them with honor, to muster them into service, and instruct them to wait for orders.

There was one other, and only *one* company (Captain Nelson's mounted men) that was discharged before its time was out, or very nearly out. That company returned to Fort Drane with Brigadier General Clinch, who, on his own responsibility, and without any instructions from me, discharged it, with three other mounted companies of the same State, (Georgia,) and without causing the four companies to be paid. Yet, General Clinch detained, at Fort Drane, Major Cooper's battalion of foot some time longer, and quite to the end of the period for which it had been mustered. The reason seems to be, that General Clinch, like myself, had not, until some time after the horse had been discharged, the slightest expectation that the frontiers would be seriously annoyed by the enemy in the course of the summer and autumn.

The horse were probably not paid from the indisposition of the paymaster, Major Lytle, an officer of great merit.

I beg that this letter may be laid before the President; and

I have the honor to be, sir, with high respect, your most obedient servant,

WINFIELD SCOTT.

To the Hon. L. Cass,
Secretary of War.

No. 144.

WASHINGTON, *December 13, 1836.*

SIR: I was informed, for the first time to-day, that my letter to the President of the United States of May last, had been communicated to the Court of Inquiry of which you are President, to be used as evidence against Major General Scott, whose conduct is now under examination.

This places me in an attitude that I do not choose to occupy—that of an accuser of the distinguished officer into whose military operations you are now inquiring,

Since the publication of that letter, I have, in the National Intelligencer, over my own name, as an act of justice to General Scott, corrected, upon better information, the complaints which I deemed it my duty, as the representative of the people of Florida, to make against him. I am unwilling that the first letter should be laid before the Court without the second; and, as I have no copy of it with me at present, I take this occasion to say that I am satisfied, upon a full and impartial review of the facts and circumstances connected with the Florida campaign, and upon evidence not then before me, that the failure is not to be attributed to Major General Scott, nor to causes which it was in his power to control or to remove.

It was my intention to have availed myself of the first appropriate occasion, in the House of Representatives, to have declared this, in my place, as an act of justice to a distinguished officer.

In saying this, I confine the corrigendum to his military operations. I neither intend to explain or retract any thing I said of "Order No. 48," reflecting on the people of Florida; and, whilst I admit that there is much palliation in the order of a major general founded on the reports of two of the highest officers and most conspicuous citizens of Florida, I can never think that there was any justification for the charge, however it may have originated, or by whomsoever avouched or endorsed.

If my letter has been laid before the Court, I have to request that you will present this for their consideration, in explanation of the other.

I have the honor to be your most obedient servant,

JOSEPH M. WHITE.

To Major General MACOMB,
President of the Court, &c.

No. 145.

HEADQUARTERS, ST. AUGUSTINE,

May 16, 1836.

GENERAL: Major General Scott being still indisposed, and having no staff officer near him, has directed me to address this to you by a schooner about to sail for Charleston, and to say that it is his request that all the officers belonging to the companies now in Florida, who are absent from any other cause than surgeons' certificates, may be ordered immediately to join their companies; and, further, that he requests that six medical officers may be ordered to report to him for duty as soon as practicable.

I am, very respectfully, your humble servant,

ABM. EUSTIS,

Brevet Brigadier General.

To the ADJUTANT GENERAL,
United States Army.

No. 146.

HEADQUARTERS, ARMY OF FLORIDA,

St. Augustine, May 20, 1836.

SIR: Since my letter to you of the 11th instant, I have been more sick than before; that is, confined to bed the greater part of the time. I am now slowly recovering strength, but still unable to attend to more than ordinary and pressing business.

I enclose the report [of Colonel Smith] of the expedition to Charlotte harbor, and up Pease creek. Nothing has been received from Colonel Lindsay; and Major Read, of course, remains silent, in order to conceal, as far as he can, his shameful failure to ascend the Withlacoochee. He seems to prefer to rely on such false statements as he is enabled to impose upon the public through an obedient newspaper. I have none at my command.

I enclose copies of two Orders, Nos. 47 and 48, and of special Order No. 26.

No. 48, of course, has much excited the good people of this vicinity against me. It contains unpalatable truths, not one of which can be disputed. Good will come out of the order; and if it fail to stop emigration, those who remain will see the necessity of their doing something for themselves. Thus, in a day or two, I have every reason to believe that a company of mounted men, with, however, but forty privates, will be presented to me for service on this side of the St. John's. I propose to accept it with but three officers. If the number of privates should be carried to the standard, (sixty-four,) I have promised the fourth officer.

I have not heard what progress has been made in obtaining volunteers for the Alachua and Suwannee frontiers; but, from the failure of General Clinch, and the absence of all reports, I fear that the inhabitants of the neighboring counties will prefer flight to the defence of their homes.

Among the accompanying papers will be found copies of letters from me to the Governor of the Territory [dated May 17th] and to Major Heileman [also of May 17th.]

From the mayor of Savannah I have received a request for a company to be stationed in that city pending the ensuing summer and autumn. I have replied, that I could not detach one from the defences of Florida.

I shall not be able to mount the second company of regular foot as soon as I had hoped, owing to the condition of the remaining horses of the late baggage-train. Many have sore backs, and all are low in flesh, though improving fast. In twelve or fifteen days, forty-five may be in a condition to be mounted.

In the mean time, the first company (mounted) will be kept in movement. It has now been out on the Metanza frontier three or four days, supported by a company on foot.

I have not received a line from the War Department, or your office, later than the letter advising me that Major General Macomb had been ordered to Florida.

The contrast made by me, in a few words, between regulars and volunteers, in my letter to you of the 30th ultimo, being published, I am, of course, delivered over to the hostility of the whole body of the militia. Now, no one entertains for the volunteers who have recently been under my command, from South Carolina, Georgia, Louisiana, and Alabama, a more cordial and sincere respect than I do. There are hundreds and hundreds of them whom I should be most happy to call friends. They have patriotism, honor, intelligence, and *individual* courage; but, *in masses*, but little of the latter quality. They would, however, I have no doubt, even fight, in masses, with desperation in defence of their own neighborhoods and homes. But, in a distant war like this, I utterly deny their efficiency, after the zeal of the first week or two has subsided. On this subject there are many wholesome, but most unpalatable truths to be told. Exceptions, however, are to be made, I acknowledge. Who shall tell those truths? I know of no commander who has ever yet had the hardihood. Shall I do it? Believing the good of my country calls for it at my hands, if leisure and strength permit, it shall be done. My sacrifice will be inevitable.

Weak as I am, I will make this declaration: If I can be convicted of having committed one serious blunder, in theory or practice, since I left Washington to conduct the war in Florida, let me be shot. No commander ought to escape from misconduct under a less penalty.

What I meant to state, at the conclusion of my last letter, was this: the

troops called for by me came into the field at too late a period, generally, to enable me to prosecute the war to a conclusion.

I remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier **GENERAL JONES,**
Adjutant General U. S. A.

No. 147.

HEADQUARTERS, ARMY OF FLORIDA,
St. Augustine, May 17, 1836.

SIR: By the accompanying Orders, Nos. 47 and 48, you will find yourself destined for the highly important command of the Alachua and Suwannee frontiers, with twelve companies of regulars, and a prospect of two or more of mounted volunteers which may be placed under your orders by the Governor of the Territory. Endeavors are now making to raise a volunteer force to that, and perhaps a larger amount. Should three companies present themselves, you are authorized to accept the whole, provided that each shall approximate within eight or ten privates the legal standard; that is, sixty-four privates for one captain, one first and one second lieutenant, and one ensign or cornet. If the number of privates be still less than that diminished number, (say only forty,) you will omit receiving the second lieutenant, unless there be something in a late act of Congress in favor of the particular organization of the several States and Territories. The act has not reached me.

With three, and perhaps only two companies, probably a major, adjutant, &c., will be pressed upon you. In the last resort you must yield; although it will be unfortunate to allow the companies to consider themselves a battalion, as, from that moment, there will be an effort made to make a company act separately, and they cannot be highly useful without so acting almost universally.

My wish is, that you keep the troop of United States dragoons, and any other mounted force that may come under your orders, almost constantly in movement—say in scouring the country in every direction, and particularly between the fixed posts. You will push the troop, with or without the support of a company of mounted men, occasionally as far as the Suwannee, so as to communicate with the post and the steamboat on that river. At Watson's and Dabney's plantations, thirty-five miles from the Gulf, a good supply of corn may yet be found.

The steamboat mentioned will also be under your orders. You will cause one of the companies of the 4th infantry, now supposed to be on the Suwannee, to embark on board the boat, and the one or other constantly to remain on board. The commander of the company will be the immediate commander, under you, of the boat. You will instruct him to keep pretty constantly in motion, sometimes visiting the mouth of the Withlacoochee, and generally cruising up the river to the head of navigation, and back again towards the mouth, so as to prevent the enemy from passing to the west bank of the river. A primary duty of the detachment will be to capture any party of the enemy found in boats or canoes, or to capture the latter, and when necessary to reach the enemy, the party will land and pursue to a reasonable distance ashore. The object of all the movements of the steamer and the troops will be to give

security and quiet to the inhabitants; and these great objects you will endeavor to attain by all the means in your power.

The baggage-train now employed in taking subsistence and other supplies to Fort Drane and its immediate dependencies, it is supposed will be sufficient to do all the hauling in the next three weeks which will be required before the middle of October. The horses will then, with the exception of a few teams, be sent to Garey's ferry, or other better place, for forage and grazing.

I ought to have stated that the steamer, on the Suwannee, must occasionally be sent for the supplies that the troops on that river may require.

On relieving Lieutenant Colonel Bankhead, you will receive from him any instructions he may possess or have received from Brigadier General Clinch, relative to the protection and defence of the frontier. Measures of this character should be made generally known, to give confidence to the inhabitants.

Besides corresponding with me, whilst I remain in the Territory, you will communicate every thing interesting or important to the Governor at Tallahassee.

With great confidence in your zeal, judgment, and intelligence, I remain, with much consideration, your obedient servant,

WINFIELD SCOTT.

Major F. HEILEMAN,
United States Army, &c.

No. 148.

HEADQUARTERS, ARMY OF FLORIDA,
St. Augustine, May 20, 1836.

SIR: Instructions from the War Department oblige me suddenly to leave Florida.

I leave you in command of all the troops in the Territory. You will report directly to the Adjutant General of the army, and communicate freely with the Governor of Florida.

I have, all along, endeavored to keep you advised of the measures adopted or contemplated by me for the defence of the several exposed frontiers. Those measures you will carry out, or modify, according to circumstances and your own judgment.

I think it proper, however, to express a decided opinion upon a measure not yet adopted or decided. A council of war recently held at Fort Drane, came to a unanimous decision that it is inexpedient to hold and garrison Fort King. For the reasons on which the council grounded that opinion, I fully concur in its decision. I therefore recommend that you cause Fort King to be abandoned, by withdrawing the garrison and all the public property there deposited with as little delay as practicable, and that one of the companies so withdrawn be ordered to establish itself at Newnansville, and the other at Fort Drane, or the Oaklands, six miles off.

You are aware that I have authorized Captain Dummett, and also Captain Curry, to raise a company of mounted men, each for the defence of this side of St. John's. If, with me, you should deem one such company, added to the five companies of regulars, sufficient for this district of country, you will, as soon as one mounted company presents itself, take measures to prevent the raising of the other; but if circumstances, in your

judgment, should render both necessary, you will accept both, and muster them into the service of the United States for six months, unless sooner discharged. I promised both Captains Dummett and Curry that I would, with three officers, accept a company with only forty privates: you may accept the company or companies with even a smaller number of privates, according to your views of the necessities of the service.

I say nothing of the distribution and employment of the regular forces under your command on this side of the St. John's, and nothing in respect to the volunteers that may be raised for the defence of the same district of country: your own judgment will govern in these matters, and the same in respect to the west of the St. John's.

Fully relying on your experience, zeal, talents, and energy, I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brig. Gen. EUSTIS, &c., *commanding*, &c.

No. 149.

FORT DRANE, (FLOR.) *March 11, 1836.*

SIR: The following statement of facts in relation to the recent movement of troops from Louisiana, under the immediate command of Major General Gaines, you may rely upon, and, if you think proper, may use for the information of the public.

General Gaines left his permanent headquarters at Memphis, (Tennessee,) on a tour of inspection, and arrived at New Orleans about the 15th of January, where he heard, for the first time, of a serious disturbance in Florida, and particularly of the melancholy massacre of Major Dade and his command, which occurred on the 28th of December. He immediately communicated with the Governor of Louisiana, and requested him to call upon, and hold in readiness a body of volunteers for service in subduing the Seminole Indians, and proceeded to Pensacola to solicit the co-operation of the naval force on that station. At Pensacola he found his wishes had been anticipated: Commodores Dallas and Bolton, and Captain Webb, having already directed their attention towards Tampa bay and other inlets of Florida, whither they had ordered marines and munitions of war.

The general, on his way to Pensacola, feeling called upon to take the most prompt and decisive measures to sustain the military post within his command, and secure the peace of the frontier, issued his orders to Lieutenant Colonel Twiggs, to receive into service eight companies of the volunteers requested of the Governor of Louisiana, and, together with the regular force at Baton Rouge, (New Orleans,) and other stations in the immediate vicinity of New Orleans, to hold himself in readiness for a movement to Tampa bay. The whole force amounted to about eleven hundred men, including about seven hundred volunteers. This order was dated at Mobile, the 18th of January.

The general visited Pensacola as stated, and then proceeded to New Orleans, where he arrived about the 25th. He organized and equipped his force, and moved on the 4th of February in three steamboats. He reached Tampa bay on the 9th, and on the 13th took the field in the enemy's country. It was first designed to march for and defeat a body of

Indians, reported to have been recently in the neighborhood of Fort Brooke, said to have been in battle only a day or two before the arrival of the general with the friendly Indians. Accordingly, the general marched in an easterly direction upon the Alafia river ; but, at the end of two days, having found two or three fields of turnips and other vegetables, as also fodder-stacks, not destroyed by the enemy, it was readily concluded he could not have been in that vicinity in any considerable force ; and the general directed his march towards Fort King. He had taken ten days' rations only, but had reason to suppose that a large supply of stores was at Fort King, the quartermaster having shown him an official letter from the Quartermaster General, advising him that one hundred and twenty thousand rations had been ordered to that post. The letter was dated the 21st of January.

The march was continued to Fort King, passing, on the 20th of February, the battle-ground of the gallant band cut off under Major Dade, on the 28th of December, where we interred the bodies of 106 heroes. No language can do justice to the scene. The remains of our mutilated brothers in arms were found where they had fallen, at their posts—the very position of the advance guard being clearly indicated. Our troops marched to solemn music around the little breast work which had been hastily thrown up, and where the last of the party were destroyed ; each individual lying at the breastwork, where, beyond a doubt, he fell in the execution of his duty. We continued our march a short distance that day ; and on the 22d, as if to celebrate the birth of him who was “ first in war, first in peace, and first in the hearts of his countrymen,” we arrived at Fort King, and gave an agreeable surprise to one company of artillery, the garrison of that post, which, from its isolated and exposed situation, had been reported in the presses of the country as having been assaulted and destroyed by the Indians. The garrison had, indeed, been exposed, but was well prepared to give the enemy a warm reception. The guard, on the approach of General Gaines, was paraded, and the customary honor paid in due form ; but where were the hearts of all at that moment ? The writer of this confesses, “ he turned aside to wipe away a tear.”

The general, contrary to his reasonable expectations, found no sufficient supply of stores of any kind. The next morning, the 23d, all the horses were sent to Fort Drane, 22 miles northwest, with a suitable convoy, for a supply of provisions. The 24th brought us all that could be procured, and it was ascertained to be but seven days' rations, which, with two days' supply found at Fort King, made up all that could be looked for in that quarter. The general had then to decide upon his next movement. To remain at Fort King, without supplies, was out of the question ; to proceed farther north might embarrass the operations of another officer then ascertained to be employed at Picolata in preparing force and supplies to penetrate the enemy's country. After much and mature deliberation, the general decided to move south again by the battle-ground of General Clinch. If the enemy should not be found, the general would, at all events, reach supplies at Tampa bay. His movements would occupy, and perhaps concentrate the enemy, and tend greatly to give security to the frontier, and enable families to return to their deserted plantations, and in safety recommence their peaceful avocations, the season having arrived for the commencement of planting operations. Lastly, but not the least of the considerations, we might find and beat the enemy.

The general moved from Fort King on the 26th of February, and on the 27th, at 2 o'clock, we were on the right bank of the Withlacoochee, at the place where General Clinch crossed the river the 31st of December preceding. The troops had advanced from Tampa bay, and to this time the same order of march has been preserved, in three columns, a right, centre, and left, respectively, about one hundred yards distance from each other, with a strong advanced and rear guard—the baggage being in the rear of the centre column. In this order it followed that we struck the river at three points; the advanced guard, as the centre, being at the usual crossing-place. The baggage and the rear had been ordered to halt, as the general only designed examining the crossing-place. Up to this time no attack or annoyance had been offered us since we left Tampa bay, and but few of us expected it at the Withlacoochee. We were, therefore, many of us, fully exposed while sounding and examining the river, and our exposure was matter of jocular remark, when, for the first time, on our left flank, a spirited fire was heard, accompanied by the enlivening war yell of the savage. The fight was continued about half an hour, the enemy being on the left bank of the river, when the general ordered the troops to encamp near the river. We lost one killed and eight wounded. On the 28th we moved down the river about two miles, where the banks were less covered with thicket, and the advance guard was here fired upon, and Lieutenant Izard, of the United States dragoons, mortally wounded. He fell; but partially recovering himself, commanded his men, with the utmost composure, "to keep their positions and lie close;" a command scarcely less remarkable than that of the lamented Lawrence—"Don't give up the ship." Lieutenant Izard, after five days of suffering, died on the 5th of March, and was buried on the banks of the Withlacoochee—himself a loss too great for the savage foe ever to compensate.

The fight was continued on the 28th, with little or no intermission, from about 9 o'clock until 1 P. M., when we encamped again. During this period the Indians kept up a continuous yell, excepting during an interval, when they retreated for a short time. We lost this day, besides Lieutenant Izard, one killed, and Captain Sanders, commanding the friendly Indians, and Captain Armstrong, of the United States schooner *Motto*, both volunteers, wounded, the latter slightly. In the evening of this day an express was sent to Fort Drane to report to the officer commanding in that quarter, that the enemy had been found in force, and to recommend an immediate movement, crossing the Withlacoochee some distance above, and thence to fall down upon the enemy's rear, which it was hoped would terminate the war.

On the 29th, in the morning, the enemy was silent, but the experience of the general looked upon it as ominous, and he ordered one-third of the command to remain at the breastworks—the remainder of the force being employed in preparing timber and canoes for crossing the river. At about 9 o'clock our working parties were fired upon, and simultaneously a vigorous fire poured into camp from three sides, that nearest the river being the only one not assailed. The firing continued a little over two hours, during which we lost one man killed, and three officers and thirty non-commissioned and privates wounded. The force of the enemy was estimated at twelve hundred or fifteen hundred. General Gaines was wounded by a small rifle ball, which passed through his lower lip, making a

very slight wound, but knocking out one lower tooth and slightly fracturing two upper teeth. This was a most startling incident to all as soon as known, but affected every body more than the gallant hero himself, who, with the most heart-cheering good humor, observed that it was extremely unkind for the enemy to take a tooth from him which he valued so highly. Lieutenant Duncan, of the artillery, was slightly wounded, and Lieutenant E. Smith, of the Louisiana volunteers, was wounded no less than three times. The enemy at length retired in some haste, for, contrary to their custom, they left one of their dead, after dragging the body some distance; they took his rifle, but we found him well supplied with powder and about sixty bullets.

The enemy, contrary to expectation, having crossed the river, it was evidently unnecessary for the troops from Fort Drane to go higher up, and accordingly General Gaines sent another express that evening, suggesting the expediency of a movement directly to Camp Izard, (the name he had given his own camp,) requesting, as he had done by the previous express, a supply of six thousand rations of pork, flour, and sugar. On the 2d, 3d, 4th, and 5th days of March, the enemy fired at intervals, both day and night, upon our camp, which we secured by breastworks of pine logs, within which most of the command enjoyed themselves in conversation, and speculating upon probabilities as to whether supplies would reach us, while our sharp-shooters were amusing themselves in picking off the Indians from behind the trees.

As our provisions diminished, we began to inquire into the virtues of roots and the comparative excellence of horse-meat. At a meeting of officers, all the corn was thrown into the public crib, and an issue of a pint made to those men whose bread had been exhausted. At length bread, corn, meat, disappeared, and some of the men were two days without food. What was then the feeling in camp? Let it be recorded to the honor of every man, and let no one, from false modesty, hesitate to yield his feelings to the gratification of noble pride, when he recollects that not a murmur was heard, nor a whisper of retreat circulated from any quarter. Far from it. Some horses were killed, and a very delicate piece was brought to the general, at his tent, who found it remarkably tender and well flavored. We felt very well able to maintain ourselves at least three weeks if necessary; and by that time, at least, the force from above must certainly come down, and the Indians would assuredly be taken. These were our reflections on the night of the 5th; when, at about ten o'clock, we heard some one calling from the woods and wishing to speak with us. The officer of the guard answered the man, and demanded his designs: he distinctly stated that the Indians were tired of fighting and wanted to make peace. The general ordered the officer of the guard to answer, that if he wanted to say any thing, to come in the morning, with a white flag, and he should not be fired upon. He replied, "very well;" repeating his desire to come in and have a friendly talk, and to shake hands. This was soon circulated throughout the camp, but from the well-known treachery of the Indians, we were ordered to be particularly on our guard, and continued so all night.

During the day of the 5th we lost one man killed and had two wounded, the only casualties which had occurred since the 29th. On the morning of the 6th, at about ten o'clock, about 300 of the Indians filed out from the river, and took up a position in our rear, about 500 yards distant. They

were armed, and we were fully in the belief that this was a mere feint, supposing the residue of their force in a neighboring hammock; and we were confident of a desperate assault from some other quarter. We were at a stand, waiting their movements some minutes. At length one or two advanced a short distance, and after considerable hesitation on their parts, the result of their fears lest we should entrap them, they approached near enough to be heard, and after joined by three or four others, came within about 200 yards, and repeated what had been declared the night before. The general then directed a staff officer to go out to them, and hear what they had to say. It was soon reported to the general that the Indians did not wish to fight any more, but they wanted him to retire from the Withlacoochee. The staff officer was then ordered to return to them, and, in the plainest language, tell them the exact truth as to the force ordered into the country to subdue them; that additional force was expected every day; that the time was near when every Indian found with a rifle in his hand would be shot down. This was communicated with such explanations as were deemed necessary to give it force; and they then said they would go and hold a council, and would assemble again in the afternoon to give an answer. In the afternoon they came as before, including, as in the morning, the celebrated Powell, and scarce less celebrated Jumper, with several others, and with the interpreter Abram. The general's staff officer had with him two or three others from our camp at the talk. The Indians repeated much of what they had said in the morning; that they had lost many men by death and wounds, and were tired of the war and wanted peace; but as their governor, as they called him, Micanopy, was not with them, they wanted time to consult him; they therefore asked a cessation of the war. The staff officer, having been previously instructed by the general, told them, that if they would engage to cease from all acts of hostility, retire south of the Withlacoochee, and promise to attend a council when called upon by United States commissioners, they should not for the present be molested. They answered, that for themselves they would, and did promise all that was required. At that moment a noise was heard from that portion of the Indians at a distance, and they were seen running towards the river. It was easy to conjecture the cause. Immediately afterwards General Clinch, with 500 men and supplies, came gallantly on; and his advance guard of mounted men, seeing Indians, and not knowing the purpose of their being where they were, formed a line promptly to the left, and fired, but the fleetness of the Indians saved them—they were beyond the reach of gunshot, and were soon out of sight and over the river.

Then followed one of the most delightful greetings imaginable. General Clinch's force moved onward, and was soon within hail of friends; and were we not all friends indeed? The new-comers were soon divested of their surplus bread, &c., until their haversacks were emptied, and our command feasted. General Clinch brought two days' supply of pork and bread, with sugar, besides about forty head of cattle, many of which did not live out that night.

On the 8th a negro man was sent over the river, who had a wife among the hostiles, with orders to account for his appearance among them in any way he might choose; to see and talk with them; to ascertain their location and wishes. The 9th he did not return, much doubt prevailed as to the position and disposition of the enemy. On this day, the 9th, Gen-

eral Gaines thought proper to deliver the command over to General Clinch. We all regretted, and yet were pleased with the change ; regretted to lose the presence of a tried, experienced, and gallant general, whose deportment commanded respect, whose judgment ensured confidence, and whose mild and amiable manners won the affectionate regard of every one ; but if a change was deemed a public duty, to whom could the command be assigned with so much satisfaction to his troops as to General Clinch, who came nobly to their aid, with all the despatch and all the assistance in his power, and whose manners were an index of his generous and heart-enobling qualities ?

General Clinch, for reasons assigned in orders, directed a movement to this place, to commence on the 10th instant, at 10 o'clock. In the midst of a heavy rain the march commenced, and the troops moved about seven miles and encamped. In the evening, the negro man who had been sent among the foe, came in, and, to our great satisfaction, confirmed, in the most precise manner, the truth and sincerity of all the Indians had professed. He went among them, and found they had moved some fifteen or twenty miles up the river, and had dispersed over a space of some two miles or more, in several encampments. They gave the negro every assurance of a pacific disposition on their part ; stated that they had ordered their young men to abstain from war, and that they had seen our men fishing in the river, and had abstained from firing upon them. They stated that thirty had been killed in the several battles on the Withlacoochee, between the 27th of February and 5th of March. It must be observed that no terms have been offered the Indians ; and, although there can be no doubt of their having been broken in spirit, it is yet to be seen whether they will suffer the dictation of terms which it is understood are to be imposed on them. It is certainly known, through the negro man, that they do not wish to go West, and they may refuse to comply with a requirement to do so.

General Gaines arrived at this place to-day in good health.

I have the honor to be, with the highest respect, your obedient servant,

E. A. HITCHCOCK,

Captain U. S. A.

Hon. FRANCIS S. LYON, M. C.,

Washington city.

No. 150.

CAMP SABINE, NEAR THE SABINE RIVER,

May 18, 1836.

DEAR SIR : I take the liberty to enclose, herewith, a copy of a letter to a friend, on the subject of the late movements in Florida under General Gaines.

I had written nothing relative to that campaign with a view for publication ; nor should I now send the enclosed, had I not lately seen in some of the papers strange misrepresentations of facts, which should not be permitted to pass unnoticed.

I have had time only roughly to sketch the principal features of the

campaign ; but the letter is at the service of the public, and I shall be obliged by your giving it an insertion in your paper.

I am, with great respect, &c.

GEO. A. McCALL.

To the Editor of the N. O. Bulletin.

MY DEAR SIR : A rapid change of position and almost constant occupation during the last four months, have prevented, until now, my making *the Florida war* the subject of a letter. The first intelligence of "actual hostilities" in that section of his military department, was received by General Gaines at New Orleans, whilst on a tour of inspection to the Gulf posts. The news of the massacre of Dade's detachment had burst like a thunder-clap upon the inhabitants of the great Southern emporium. On receiving the official report of this sad disaster, General Gaines immediately addressed to the Adjutant General at Washington, a letter, in which he urged that no time should be lost in applying to the savages on that frontier the last and obvious means of correction ; at the same time declaring, from his knowledge of the Seminole Indians, and the country they inhabited, his conviction that the only sure means of speedily and effectually terminating the difficulties in that quarter, would be to bring into the field an army of at least 4,000 men, aided and supported by a strong naval force. Under this impression, he recommended that the 6th and part of the 1st and 7th regiments of infantry be ordered to Florida, to reinforce the United States troops on the Gulf, and such volunteers from the adjoining States as the emergency might call forth. On the same day he made a requisition on the Governor of Louisiana for a regiment of riflemen or infantry ; and soon after requested of Commodore Bolton, at Pensacola, the co-operation of such naval force as he might feel authorized to order on that service. Some days subsequent to this, the receipt of intelligence that Fort Brooke (Tampa bay) was invested by the Indians and negroes, and the garrison in danger of being cut off, determined General Gaines to proceed at once to their relief with what force he might be able to collect at New Orleans. He accordingly wrote by express to General Clinch, who commanded in Florida, and was at that time at Fort King, 100 miles north of Fort Brooke, that he (General Gaines) would be at the latter post on the 8th of February, with 700 men. General Clinch, it is understood, would have, by that time, a respectable force (volunteers) from Georgia and the upper counties of Florida. He was accordingly ordered, if strong enough to take the field, to march to the southward in time to effect a junction with General Gaines at or near Fort Brooke. Under these circumstances, General Gaines embarked at New Orleans on the night of the 3d of February, with a brigade of about eleven hundred men—to which number his force had fortunately increased—consisting of six companies of the 4th infantry, under Lieutenant Colonel Twiggs, and a regiment of Louisiana volunteers, under the command of General P. F. Smith, adjutant general of the State. The transports, being steamboats, were obliged to touch at Pensacola for wood ; and here it was that General Gaines met the Adjutant General's letter of the 22d January, which purported to cover the "Order No. 7," directing General Scott to repair to Florida "and take command of the

troops operating against the Indians in that quarter." This Order No. 7 was not enclosed, nor did General Gaines see it until his arrival at Fort King, sixteen days afterwards. This fact may be a matter of no great import; but, as the continuance of the movement from Pensacola to Tampa, after his being notified that such an order had been issued, is one of the two prominent features of the campaign that has been very unhesitatingly criticised and condemned in some of the popular prints, it may be well to examine what might have been the consequences, had he abandoned the expedition at that advanced stage of its progress.

In command of a military department, he had received, at a point far distant from the seat of the Federal Government, whence alone special or new instructions could be sent him, the intelligence of a great and unlooked-for disaster having occurred on the extreme southern frontier of the country, occupied by the left wing of his division; he learned the melancholy news that a large white settlement had been *overrun, sacked, and burnt*, and many of the inhabitants killed; the United States agent of Indian affairs murdered; eight valuable officers and ninety-eight brave soldiers of his division cut to pieces by an overwhelming savage foe! and he was aware that the military posts on the borders of the Indian country, viz: Forts Brooke, King, and Drane, with the station at Key West, all within his military department, were without any other work of defence than such as a daring leader, with 500 men, might, at the risk of little loss, take and destroy in a few hours; the garrisons of three of those posts being insufficient for their defence. What, then, was the duty of the commander of the department? Had he hesitated one single moment, he would indeed have merited the stern opprobrium of his fellow-citizens. He did not hesitate. He collected what force he could, and marched immediately for the theatre of war. On the route, and within two days' march (by steam) of the Indian borders, he received a notification that General Scott had been ordered to repair from the city of Washington to Florida, "and take command of the troops operating against the Indians in that quarter." At the same time he was informed that "the state of affairs west of the Mississippi might soon require his attention, if not his presence, in that quarter;" and he was directed to wait further orders in the city of New Orleans. Had hostilities actually existed on the Louisiana frontier, and General Gaines received an order to repair thither immediately, it is difficult to say whether the historian would have approved or condemned his conduct at that stage of the game, had he obeyed the order, and, by so doing, left General Clinch, in expectation of a promised co-operation, to extricate himself as he could from any difficulty into which the failure on the part of General Gaines in preconcerted movements might peradventure throw him. *And without General Gaines, the volunteers, his principal force, were unwilling to proceed*; for, before they left New Orleans, he had pledged himself to accompany them whithersoever they went, and to stand by them as long as they would stand by him, in repressing the rising spirit of savage devastation. Moreover, he was firmly persuaded that the instructions from the War Department, requiring him to await further orders in the city of New Orleans, were forwarded before that Department could possibly have received a detail of the circumstances, which rendered the *immediate* movement to Florida not only proper, but imperative.

A little reflection determined him to continue the movement until the

President should be apprized of all the particular circumstances attending it; or until the officer authorized to operate in his department should make his appearance in person in that part of the country which constituted the principal theatre of the war, or the Indians be subdued, and the security of the frontier re-established. This view of the subject is based upon a sound principle of military law, and is supported by the ablest writers of all enlightened nations, whose arms have been crowned with success. Had General Gaines failed to comply with this wise precept—had he disregarded this sacred injunction, he well knew that he might suffer the enemy to defeat a body of troops expecting his co-operation, and consequently leave the citizens, dwelling within the limits of his command, quivering beneath the upraised tomahawk and the blood-stained scalping-knife.

Was it his duty, under such circumstances, to abandon an expedition on the prosecution of which the safety of the border people possibly hung? or was it his duty to strike promptly at the enemy, if possible subdue him, or at all events endeavor to check his devastations until the President should have notice of his strength, and the determined spirit with which he seemed prepared to carry on the war?

General Gaines proceeded to Tampa bay. On his arrival at Fort Brooke, he learned that the day previous a party of about 100 of the friendly Indians had been attacked near the fort, and driven in by a superior force. The country occupied by the hostile tribes lying between Forts Brooke and King, no communication had been kept up between those posts since the massacre of Major Dade's command; and, consequently, General Gaines, on arriving at the first-named station, was unable to gather any information from which he could form even a tolerable conjecture of General Clinch's strength or movements. But, relying on the co-operation of that officer, he determined, as soon as his horses could be landed, to place a sufficient garrison in the pickets, and, with the remainder of his force, march out to meet him.

Owing to the expense and difficulties attending the transportation of horses from New Orleans by sea, the baggage-train brought with the brigade was necessarily small, and the expectation that the requisite number to complete the train might be procured at Tampa was not realized; the horses and cattle in that vicinity having been stolen or lost during the alarm which broke up the settlement, and drove the families for protection to the fort. Some half dozen Indian ponies were, I believe, all that the quartermaster could procure, to add to the number brought from New Orleans. The question, then, among both officers and soldiers, was, not "what they might get along with," but "what they could do without on their march?" Ten days' rations were issued to the troops, (five of which were to be carried in the haversacks;) and on the morning of the 13th the brigade took the field. The order of march was three columns, with an advance, and a strong rear-guard. The right was four companies of the second artillery, acting as infantry, commanded by Major Belton; the centre, seven companies of the fourth infantry, under Lieutenant Colonel Foster; the left and rear being composed of the Louisiana volunteers, under Colonel Smith and Lieutenant Colonel Lawson, Lieutenant Colonel Twiggs acting as brigadier.

The friendly Indians, who, to the number of seventy-seven, accompanied the brigade, having reported their belief that the war party which

attacked them a few days before was not only formidable, but was probably still encamped on the Alafia river, at a point some fifteen miles from Fort Brooke, and seven from the main road to Fort King, General Gaines made a detour to the right for the purpose of breaking it up, and driving before him this band of marauders. On the second day's march, however, it was ascertained that the enemy had not been at Alafia in any strength; and the troops, having received two additional rations, which had been directed to meet them by water at Warren's, proceeded on their route. On approaching the Withlacoochee, on Dade's line of march, and some thirty miles above Clinch's battle-ground, the friendly Indians expressed their firm belief that a vigorous attack would be made the following day, and urged strenuously that they might be permitted to return home, *i. e.* to Fort Brooke. This faltering on the approach of battle created some surprise, not unmingled with distrust of their fidelity. A half-hour's talk, however, reassured them, and they moved on without evincing any further timidity.

The expected attack, however, was not made; and the brigade arrived without annoyance at Dade's battle-ground, where funeral honors were paid to the gallant band, who had left on the trees around abundant proof of a field nobly contested against an overwhelming foe. The said scene can never be erased from the memory of those who witnessed it, but its images, still vivid in the mind, recall feelings too painful to permit me to dwell longer upon a scene which has already been described by many.

Up to this time, the eighth day since he marched from Fort Brooke, General Gaines had been in hourly expectation of meeting Clinch; and the fall of a towering pine, which in those extensive wilds produces a sound it is difficult to distinguish from the report of distant artillery, and was on two occasions the cause of long and animated discussion among all ranks, whilst at the end of every mile some further indication of Clinch's approach was looked for. Knowing the promptness of that officer, General Gaines could not now but apprehend that some serious obstacle had arisen to prevent the desired junction. Being only about forty miles from Fort King, the general felt bound to proceed thither to ascertain the situation of Clinch's command, and, if possible, gain some information with regard to the movements of the enemy. His only doubt, with regard to the expediency of proceeding thither, was on the score of provisions. This he mentioned to me on Dade's battle-ground, while a party detailed for the purpose was collecting the bodies of the slain for burial. He concluded by saying that the men had with them enough to carry them back to Tampa, if he returned immediately, and that there were abundant supplies; but that if he proceeded to Fort King, he might not find a sufficient provision to make that position the basis of his operations, without embarrassing General Clinch, with whom he desired to co-operate, or General Scott, should he have arrived. I then remarked that an officer had just mentioned to me that the quartermaster had received, before he left Fort Brooke, a letter from the Quartermaster General, notifying him that 120,000 rations had been ordered to Fort King in January preceding. This letter was immediately called for. It was from the Quartermaster General's office, and dated the 19th (nineteenth) of January. The passage that had been referred to was as follows:

"Large supplies of provisions have been ordered from New York, for

Fort King, and thirty thousand rations to St. Augustine, from the same place."

This was the first time General Gaines saw the letter in question, or knew that a large additional supply had been ordered from New York to Fort King. He had brought a large supply of subsistence and forage to Tampa bay, and had written to General Clinch to that effect from New Orleans, intending to make Tampa the basis of his operations. But now, unable to gain the least information of General Clinch's strength or movements, or those of the enemy, in any other way than by proceeding to Fort King, the acquisition of the information above detailed removed the only doubt he had entertained with regard to the expediency of the measure. He decided to push on without delay, and the order to march was given the moment the simple but solemn funeral rites of the band of heroes were concluded. I have been thus precise in this part of my narrative, because a want of knowledge of the circumstances attending this measure has caused the whole movement to be so misconstrued, as to lay General Gaines liable to the charge of dashing heedlessly into the wilderness without any plan of operations; suffering himself to be separated by a wide district of the enemy's country from the depot of his supplies, and thus exposing his men to hardships and privations, as unnecessary as profitless.

But this is the second principal feature of the campaign, that has been most unhesitatingly criticised, of which more anon. To return to the thread of my narrative.

The troops reached Fort King on the 22d of February, without meeting with any accident worthy of remark. A single company of the 3d artillery constituted the garrison of this station. General Clinch, with his principal force, was at Fort Drane, 22 miles to the N. W. With great regret General Gaines now learned that Clinch had not received the expected reinforcements from the northern borders of the Territory, but two volunteer companies having joined him from that quarter. His force was four companies of artillery and one of infantry, and the two companies of volunteers I have mentioned. General Gaines was not less disappointed when he was told that the supply of provisions at these two posts (King and Drane) was little more than sufficient for their support. Whether this disappointment was consequent to a reasonable expectation or not, I shall not pretend to determine. The simple facts, from which must be determined the reasonableness or unreasonableness of the conclusion drawn from the information received by General Gaines, on the battle-ground, are these: The troops had marched from Fort Brooke on the 13th, with ten days' rations. At the Alafia they received two days' rations, brought thither by water—making in all twelve. That is, they were provisioned to include the 24th of February. On the 30th February General Gaines saw the letter of the 19th January, already alluded to. From the date of the letter to the day he saw it, inclusive, is 32 days; and to the 24th February, the day to which his troops had been provisioned, is 36 days. The supplies had been ordered on the 19th—how long before that, he knew not. The facilities of water transportation from New York to the mouth of the St. John's river, and up that river, by steam, to Picolata, whence it is about 70 miles to Fort Drane, and 92 to Fort King, led to the conclusion that in 36 days the supply would have reached its destination. The roads the troops had

travelled were in fine order, the season having been remarkably dry. We were told no rain had fallen from some time in September till the day before we reached Dade's battle-ground, when there was a slight rain.

At Fort King it was learned that preparations were making for the campaign at Picolata, under direction of General Scott. It was thought, however, that he would not be enabled to take the field with any considerable force for some time.

Finding he could expect no immediate co-operation from a quarter where he had expected to meet a considerable force—Clinch's command being barely sufficient to supply the necessary escorts to the provision wagons between Picolata and Fort Drane—and unwilling to draw upon the nucleus of supplies here collecting, General Gaines decided on returning immediately to Tampa bay, and making that the basis of his operations. He informed General Clinch of this, and requested barely a sufficient supply to last him on the march. He had marched from Fort Brooke to Fort King by the main route, the common wagon road. This road is longer by a day's march than the route by Chocochater. He, therefore, determined to return by the latter. It was, indeed, the opinion at Fort King, that the Indians had established themselves near the point at which this trace crosses the Withlacoochee, viz : Clinch's battle-ground. If so, so much the better ; he might beat them by the way ; at any rate, the movement of 1,000 men through the country occupied by the Indians would have the effect of keeping them concentrated, and, therefore, relieve the frontier from petty depredations. Of the 77 friendly Indians who accompanied the brigade from Fort Brooke, ten returned with it, the balance remaining with General Clinch. These men, who acted as guides, promised to find a ford somewhere near the point at which General Clinch had crossed.

On the 27th General Gaines reached the Withlacoochee, at this point ; and a half hour or more had been passed in searching for the ford, when the enemy opened a fire from the opposite bank. The stream is about forty yards wide, but deep and rapid. A few companies were immediately brought into action, and very soon the fire became general from the left to the centre. This skirmish, the first bush-fighting the men had seen, lasted half an hour. The loss of the troops was one killed and seven wounded. The troops encamped near the river, and the guides declared the ford must be about three miles below, where a trail leading to the right struck the river. The next morning, by sunrise, the three columns marched for the point indicated, on reaching which a spirited fire was immediately opened from the opposite bank ; it was quickly returned, and continued, with occasional intermissions, till one o'clock. In the early part of this action, Lieutenant Izard, a gallant soldier, was mortally wounded. The loss this day was one killed and three wounded. The stream at this point also proved too deep to be forded ; and the guides, who had been accustomed to hunt in the lower country, and had not been in this section for many years, were totally at fault. The banks of the stream, however, at this point, were less thickly clad with the customary undergrowth, and the general determined to cross. A detail was accordingly made to prepare canoes, and the flooring of a ponton bridge : and the cheerful sound of the axe was soon mingled with the crack of the rifle and the animating war-cry. At 4 o'clock, P. M. a distant but very loud whooping was heard, which indicated the approach of a large reinforce-

ment to the enemy from the opposite side. The friendly Indians immediately declared it to be Micanopy, whose force they estimated at 800 warriors.

General Gaines, then satisfied that the whole force of the enemy was in the field, considered the opportunity of bringing the war to a close too favorable to be lost. Under this impression, he sent an express to General Clinch, recommending an immediate movement of the force under his command, with an additional supply of ammunition and provisions. Clinch was desired to cross the river some ten miles above, and move down on the left bank. General Gaines added that he would, in the mean time, endeavor to amuse the enemy, prepare his boats, &c. for crossing, but would not cross until he heard from Fort Drane, where General Clinch expected by this time some accession to his force.

By this movement it was believed the two brigades would be enabled to attack the enemy in front and rear at the same time, and probably terminate the war in a few days. The customary log breastwork was thrown up, about three feet high, and the troops slept undisturbed that night. The following morning an attack was thought not improbable from some quarter, and one-third of the men were kept on duty at the breastwork. At 10 o'clock, A. M. the working parties were fired upon, and immediately afterwards a dashing attack was made on three sides of the camp. The Indians advanced boldly, and fired with great rapidity, but not with precision. At one time they set fire to the high grass and palmetto on the windward side of the camp, and made a bold dash under cover of the smoke, which, mingled with flame, came rolling towards the breastwork like a heavy sea. The fire was coolly extinguished, and the audacity of the assailants punished by Louisiana riflemen. The fight lasted till a few minutes past 12 o'clock M., when the enemy withdrew. Their numbers were estimated, by those considered the best judges, at 1,500. The troops, having the advantage of the slight breastwork before mentioned, lost this day only one sergeant killed, and 34 officers and men wounded. Among the latter was General Gaines himself. The loss of the enemy was considerable, the troops firing with a coolness and precision that would do honor to veterans. Nor should the 29th of February be passed without bestowing a word of praise on the marked gallantry of these red assailants, who fought—many an old Indian fighter present said—"as Indians never fought before."

As the Indians had crossed the river, a runner was sent that night to General Clinch, informing him of the occurrences of the morning. In concluding this letter, General Gaines said, "I have abstained, and shall abstain, from a sortie till I hear from you, in expectation that this course will tend to keep them together; whilst a sortie might contribute to disperse them. I am now satisfied that a direct movement to this place is more desirable than to cross the river higher up, as I suggested in my letter of yesterday. I am, moreover, of opinion that, if mounted men can be obtained in a few days, your force should not move from Fort Drane without that description of troops." The Indians move with too much celerity to be pursued in that country, with any chance of success, by any other than mounted men. The following day, March 1, there was light skirmishing, and occasional shots were fired at those who passed out of camp.

On the morning of the 2d of March, an attack was made nearly as

vigorous as that of the 29th, and was kept up for one hour ; but the troops, having raised the breastwork, sustained little loss. It was possible that General Clinch might arrive this afternoon, and many of the men, who were getting hungry, began to look eagerly for his appearance ; though, when they were told that, if he should be detained by the non-arrival of the mounted men, it might yet be some days before they received a supply of provisions, in which case they must be content to dine on horse-meat until they could do better, I do not think there was a man but declared his willingness to do so, as long as there was a prospect of bringing the war to a successful termination by so doing. All the corn in camp was turned in, as common stock, and afforded about a pint per man ; and afterwards some horses were killed, and the meat regularly issued. The 3d, 4th, and 5th of March did not produce any incidents greatly differing from those of the preceding days. The Indians were frequently firing into the camp, by night as well as by day, generally selecting the hour of guard mounting, or parade, when the men were most exposed. Our sharp-shooters, however, kept them at long shots, and their bullets whistled through the camp without doing much execution. On these occasions, as usual, the woods rung with the animating war-cry. During this time the troops lost but one man killed and two wounded.

At 10 o'clock, P. M., on the 5th, some one was heard hailing the camp. It was at first supposed to be a return express from Fort Drane, who was thus giving notice of his approach, lest he should be fired on by the sentinels. He was told to advance. In a few moments a negro called out at the top of his voice, "The Indians are tired of fighting, and wish to come in to-morrow to shake hands." He was told that if they had any thing to say, they might come in the morning with a white flag, and they would be heard ; whereupon he retired, bidding us a hearty "good night." At 10 o'clock, A. M., on the 6th, 300 warriors, or thereabout, drew up in line facing the rear of the camp, at the distance of 450 or 500 yards. After some delay and apparent hesitation on their part, two or three advanced about half way with a white flag. Here they were met by Adjutant Barrow, to whom they communicated their desire to have a talk with General Gaines. Captain Hitchcock, acting inspector general, was then sent to hear what they had to say. He returned and reported that the Indians did not wish to fight any more, but that they were desirous that the troops should withdraw from the Withlacoochee. They said they had lost a great many warriors, and were unwilling to lose any more, except in the course of nature, or perchance by the fall of a forest tree. The celebrated Ocoola was much dejected and apparently subdued in spirit. Captain Hitchcock was directed to return and tell them that a large force would soon be in the field, and the inevitable consequence of their refusing to come to terms would be the destruction of a great portion of the nation. They expressed a desire to treat with General Gaines, and said they would hold a council on the subject, and give their answer in the afternoon. They returned at the appointed time, and again expressed their desire to make peace with General Gaines, but said their act could not be binding without the sanction of Micanopy, the principal chief, who had gone to his town. They said they would send for him and then sign a treaty. Captain Hitchcock then communicated to them what he had been instructed to say, viz : that General Gaines had no authority to treat with them ; but that if they would return to the south side of the Withlacoochee, and

remain there without molesting the inhabitants of the country, until the United States commissioners should appoint a time and place to meet them, they should not, for the present, be disturbed. The chiefs present gave their promise to do so. At this moment General Clinch's advance came in sight of the party that had accompanied the chiefs, and, not knowing what was passing at the camp, wheeled into a line and poured a volley upon the Indians, who immediately fled and crossed the river, as did the chiefs who were with Captain H., fearing, no doubt, that they would be shot down. This broke up the conference.

The brigade with Clinch were met with heartfelt greetings. He brought the greater part of the garrison from Fort Drane, and a squadron of mounted men, raised in the counties immediately north of Fort Drane; and with them all the supplies his slender means of transportation would allow, together with 40 head of beef cattle. From this time up to the 9th March the Indians remained true to their promise to abstain from hostilities; our men having frequently, during these days, fished and bathed in the river without molestation. Micanopy, however, did not arrive, and General Gaines decided this day (see order No. 7) to place the troops under the command of General Clinch, whose gallantry and decision had proved him so worthy of the trust; and prepared to return immediately to New Orleans, in pursuance of the instructions he had received at Pensacola.

On the 10th General Clinch took up the line of march for Fort Drane. That night a negro, who had a wife among the hostile Indians, and among whom he had been sent on the 8th, returned and reported that they assured him of their intention to adhere to their promises; and told him they would meet the whites on the Withlacoochee in five days, and bring with them all the principal chiefs. They said they had seen our men fishing, but, desiring to be at peace, did not fire on them.

The troops encamped about three miles south of Fort Drane; thither General Gaines proceeded, and soon after set out on his return to New Orleans, by the way of Tallahassee and Pensacola. At New Orleans he received the instructions from the War Department relative to this frontier, and immediately proceeded to Fort Jesup.

This is a rough sketch, but you may rely on the facts; and you are at liberty to make use of the letter, if you think proper, for the information of the public.

With constant regard, I am your most obedient servant,

GEO. A. McCALL,

Acting Assistant Adjutant General.

No. 151.

Extract from a letter from Brigadier General Clinch to General R. Jones, Adjutant General, dated

FORT KING, January 22, 1835.

SIR: I wrote you a few days since, *via* St. Augustine; but, as the letter may not reach you as soon as by the regular mail route, I have thought it proper to write you again, on a subject which formed part of my last communication.

In that communication, I stated that if it was the intention of the Government to remove the Seminole Indians west, in the spring, with or without their consent, it would be necessary, in my opinion, to send four additional companies to this post, and two to Fort Brooke, and two six-pounders to each post. The more I see of this tribe of Indians, the more fully I am convinced that they have not the least intention of fulfilling their treaty-stipulations, unless compelled to do so by a stronger force than *mere words*. Their minds have been so completely perverted by a set of interested and designing men, that no argument or reasoning will have the least influence with them, except the argument of *force*; and if a sufficient military force to overawe them is not sent into the nation, they will not be removed, and the whole frontier may be laid waste by a combination of the Indians, Indian negroes, and the negroes on the plantations. It is useless to wince this question—it should be met, and met firmly, if their treaty is to be carried into effect; and I do not hesitate to state, (and I do so from some small knowledge of the Indian character,) that a large majority of this nation have not the most distant idea of going West; and they will not so, unless compelled by a strong military force. I have, therefore, felt it my duty to make known to the General-in-chief my views on this subject, and to call for a sufficient military force, completely equipped for active field service, (and not with thirteen rounds of cartridges per man,) so as to enable me to assume any attitude that the Government may think proper to order me to take in relation to this *wildly deluded tribe*.

I am, with high respect, your obedient servant,

D. L. CLINCH,

Brevet Brig. Gen., Col. 4th Infantry, commanding.

Extract from a letter from General Clinch to General Jones, Adjutant General, dated

ST. AUGUSTINE, October 8, 1835.

SIR: The time will soon arrive when a large number of the Seminole tribe of Indians have agreed to remove to the West.

There are still, however, a large number that are unwilling to remove, and, from recent indications, I am induced to believe that force will have to be used to compel them to comply with their treaty-stipulations. When the peculiar nature, extent, and exposed state of the Indian frontier are taken into consideration, it will, I think, be readily admitted that the force placed under my command is inadequate to enforce a compliance with their treaty, and to give such protection to the frontier settlements as their apprehensions from the Indians, and from *another species of population*, induce them to expect from the Government. Under this view of the case, I am induced respectfully to submit a few remarks for the consideration of the General-in-chief, and, if approved by him, for that of the proper department. I consider the force already in Florida sufficient to meet and control the whole of the refractory Seminoles, if they could be concentrated. But when scattered over a large extent of country, composed of marshes and swamps that are almost impenetrable to the white man, it is entirely inadequate to give that protection and quiet to the frontier inhabitants which they expect.

Frequent applications have already been made from different sections of the country for protection, in case we should have any difficulty in removing the Seminoles; and some of the most respectable planters fear that there is already a secret and improper communication carried on between the refractory Indians, Indian negroes, and some of the plantation negroes. For the better protection of the frontier settlements, and to stop all intercourse between the Indians and plantations, in case any difficulty should arise in removing the Indians, I strongly and respectfully urge and recommend the calling into the service of the United States, for the terms of two or three months, 150 mounted volunteers, to be stationed at such points as the commanding officer may think best to effect the object in view, and not to be ordered within the Indian boundary, unless in case of absolute necessity. This force to be held ready, but not to be called into actual service until required, and to be disbanded as soon as their services can be dispensed with.

This species of force would, in my opinion, owing to the nature of the country, be the most efficient and least expensive, under all the circumstances of the case, that could be employed. Being well mounted, and all of them good woodsmen, good riders, and well acquainted with every part of the country, and many of them deeply interested in its protection, would give them a decided advantage over any other species of troops for the kind of service they would be required to perform; and I have no doubt they could be raised without any difficulty.

I have the honor further to request that one of the revenue cutters stationed on the Gulf of Mexico may be ordered to cruise along the coast from Charlotte's harbor to Tampa bay, between the 1st of December and the 1st of January next, to co-operate with Brevet Major Dade's command, in ordering in and securing, if necessary, all the Indians they may find on that coast; and, on their arrival at Tampa bay, to remain subject to the orders of the officer commanding the troops in Florida. A small armed vessel of that class would, in my opinion, aid our operations very much, and could be placed on that kind of duty for a short time without the least injury to the revenue service.

The service assigned me and the troops under my command is arduous, disagreeable, and perplexing, and without the least prospect of reaping any honor; but it will be cheerfully performed to the best of my abilities.

I feel deeply anxious to remove the Seminole nation without resorting to force; but, being on the ground, and in possession of all the facts, I feel it my duty to state them for the information of the General-in-chief and the Department of War, and to give it as my opinion that we shall have to strike a blow at the Mickasuky tribes before they will surrender the murderers of Dalton, or agree to comply with their treaty. This, however, will be the last alternative; but I earnestly request that the Government will place the means in my hands to enable me, when it becomes absolutely necessary, to strike effectually, and to give protection to the frontier settlements; otherwise, many lives and much property may be lost.

I have the honor to be, &c.

D. L. CLINCH,

Brev. Brig. Gen., Col. 4th Infantry, commanding.

To Brigadier General R. Jones,

Adjutant General, Washington.

*Extract from a letter from General Clinch to General Jones, Adjutant General, dated*ST. AUGUSTINE, *October 17, 1835.*

SIR : The enclosed copy of a letter from Lieutenant Colonel Fanning is submitted for the consideration of the General-in-chief. My first wish is to carry out the humane and benevolent views of the Government in relation to the Seminole Indians, in the way most conducive to their comfort and happiness, and least expensive to the nation. With these objects constantly in view, I may have rather under-estimated the means necessary to carry into effect the views and plans of the Government. By referring, however, to my letter of the 18th January last, you will perceive that I requested that six companies might be added to the command in Florida, four of which only were ordered to Fort King. In my communication of the 8th instant I state, "I consider the whole force already in Florida sufficient to meet and control the whole of the refractory Seminoles, if they could be concentrated. But when scattered over a large extent of country, composed of marshes and swamps that are almost impenetrable to the white man, it is entirely inadequate to give that protection and quiet to the frontier inhabitants which they expect."

Since writing the foregoing, I have been informed, by Assistant Surgeon Archer, that nearly 100 of the command now at Fort King have been more or less sick, within the last 2 or 3 months; and although many of them are fit for garrison duty, and most of the others are convalescent, they cannot be relied on for active and efficient service. I, therefore, have the honor respectfully to request that three additional companies be ordered to Fort King, with as little delay as practicable, with an ample supply of ball and buck-shot cartridges.

Should this request be complied with, and the companies ordered from the North, it would be economy of time and money to engage transports, drawing not more than eight feet water, to take the troops direct to the St. John's river, and land them on the west side of that river, opposite to Picolata, where there is a good road leading to Fort King, and from which place transportation could be sent to meet them, if timely notice is given to the commanding officer at that post.

I have the honor to be, &c.

D. L. CLINCH,

Brev. Brig. Gen., Col. 4th Infantry, command'g.

To Brigadier General R. JONES, &c.

*Extract from a letter from General Clinch to General Jones, Adjutant General, dated*FORT DEFIANCE, MICANOPY, *December 9, 1835.*

SIR : The uncertainty as to the time when the companies ordered from Louisiana will reach Tampa bay, and the distance they will have to march through a hostile country before they can join my command, induces me to request that four additional companies be ordered to join me with the least possible delay, completely prepared to take the field, with a good

supply of ball and buck-shot cartridges. It is also very desirable to have fifty good muskets and fifty rifles sent at the same time, as there is a great deficiency of arms in the country.

All the information I receive, in relation to the movements of the Indians, represents them as being in considerable force, and manifesting a determination to engage in murder and plunder. It appears, also, that they are joined by the negroes; and if they are not promptly put down, this spirit may extend to the plantations.

If additional troops should be sent, they should be landed on the west bank of the St. John's, at Picolata, and marched from thence to Fort King.

I am, with high respect, your most obedient servant,
D. L. CLINCH,

Brev. Brig. Gen., Col. 4th Inf., commanding.

To Brigadier General R. JONES,
Adjutant General, Washington City.

Extract from a letter from General Clinch to General Jones, Adjutant General, dated

HEADQUARTERS, TROOPS IN FLORIDA,

Fort Drane, December 16, 1835.

SIR: It is also very much to be regretted, as our Indian affairs have taken the course they have, that the four additional companies had not been ordered from the Atlantic instead of the Gulf; as, in that event, they could have joined before this, and I should have been in sufficient force to have operated, as soon as a sufficient quantity of provisions could have been placed in store at Fort King. As it is, it is impossible for me to form any idea when they will arrive at Tampa bay, between which place and Fort King, a distance of 100 miles, through the centre of the hostile part of the Seminole nation, there is no communication; the Indians having, in several instances, stopped the runners, and taken and broken open the letters.

Thus, you will perceive, when the seven companies assemble at Fort Brooke, that my force will be equally divided, and neither part strong enough to effect much in a country like this.

I am, sir, &c.,

D. L. CLINCH.

To Brigadier General JONES,
Adjutant General.

Extract from a letter from General Clinch to General Jones, dated

HEADQUARTERS, TROOPS IN FLORIDA,

January 11, 1836.

SIR: Commodore Dallas has not informed me what direction he has given to the armed vessel ordered by the Secretary of the Navy to co-operate in the removal of the Indians.

I am prepared to meet, and treat with silent contempt, the thousand false and malicious statements that are going the rounds of the newspapers, in relation to the operations of the troops in Florida; but I feel it due to my honor and reputation to say that I consider the Secretary of War has, (although I feel confident it was unintentional on his part,) in his official communication to the President of the United States, under date of the 30th November, 1835, done me a very serious injury. In that report, he states that "General Clinch has 14 companies placed under his command;" which has induced the people of the United States to believe that I have actually had that number of companies disposable, and prepared to take the field; when, in fact, I have had but six reduced companies, as it required one of the seven companies at Fort King to defend that place.

At the time the Secretary's report was written, the 14 companies alluded to by him were stationed at the different military posts, as follows:

1 company at Fort Marion, St. Augustine.

6 at Fort King,

2 at Fort Brooke, Tampa bay.

1 at Key West, (the captain commanding it on leave of absence without my knowledge.)

2 on their way from Fort Pickens, (Pensacola,) and Fort Morgan, Alabama, to Fort Brooke; and 2 waiting orders at Forts Pike and Wood, (Louisiana.)

Seven of the companies were ordered to concentrate at Fort Brooke; 4 of which were ordered to proceed 100 miles, to Fort King, before the Indians commenced their hostile operations. Since which, all communication has been cut off between the two places.

The loss of the public supplies, in November last, has caused great inconvenience, as it has taken nearly one-third of the regular troops to guard the provisions, &c. from Picolata to this post, and Fort King.

I hope a sufficient regular force to enable me to take and keep the field has, ere this, been ordered into Florida.

I am, sir, your most obedient,

D. L. CLINCH.

To Brigadier General JONES,

Adjutant General.

No. 152.

ASSISTANT QUARTERMASTER'S OFFICE,

New Orleans, August 16, 1836.

SIR: I have this day seen a publication in the National Intelligencer of the 27th July, taken from the New York Star, on the subject of the campaign in East Florida. The writer, in speaking of the arrival of the army at Tampa bay, says: "We there learned that the quartermaster at New Orleans, influenced by the representations made, or caused (as it was said) to be made, by General Gaines, that the war was closed, had abstained from sending on provisions he had been ordered to forward from that place." The whole of this part of his statement is incorrect. When or how he obtained this information, I know not. General Gaines,

on his return to New Orleans, told me to continue to send supplies, which was done promptly. Every exertion was made, both by myself and the assistant commissary, to obtain and forward the subsistence and forage required. There was great difficulty in obtaining hard bread, and every barrel that could be had was immediately shipped.

On the 31st of March, the assistant commissary at Fort Brooke forwarded a statement to the assistant commissary at New Orleans, of the supplies on hand—216,750 rations of meat, 304,423 rations of bread and flour, and the small rations in proportion. At this time there were two vessels on the way, laden with subsistence and forage: and the bills of lading show that they were received on the 6th of April, in good condition. Now, it appears, the army arrived at Tampa bay the 3d, 4th, and 5th April, and remained but a few days before they took their departure; and I cannot perceive where was the scarcity of provisions, unless it was in the hard bread. This was unavoidable, for it could not be obtained—that is, the quantity required.

My object in making this statement is to correct the error that General Gaines had, in any way, contributed to the withholding supplies from the army in Florida; also, to show that there was no cessation on the part of the commissary, or myself, in procuring and forwarding the supplies at the earliest period possible. The proofs of this are contained in my list of shipments, now at Washington.

I have the honor to be, sir, with high respect, your obedient servant,

J. CLARK,

Assistant Quartermaster.

To Major T. CROSS,

Acting Quartermaster General, Washington City.

No. 153.

PICOLATA, (FLORIDA,) March 1, 1836.

GENERAL: I have to-day reported myself to Major General Scott, at this place, after being detained four days by sickness on the way.

The department here is deficient in means of transportation. I am told that wagons and horses are daily expected from Savannah, but cannot ascertain the number so expected. The road from this to Fort Drane (sixty-five miles) is a very bad one; parts of it deep sand, and other parts boggy, so that the teams cannot take more than half loads.

Fort Drane is at General Clinch's plantation, twenty miles nearly north of Fort King; it is the intention of General Scott to organize his principal army at the former place.

I have the honor to be, sir, with great respect, your obedient servant.

S. SHANNON,

Assistant Quartermaster.

Major General T. S. JESUP,

Quart'r Gen'l, U. S. A., Washington.

No. 154.

TAMPA BAY, FLORIDA,

April 11, 1836.

GENERAL : Though I have been five days at this place, I have not had time to make even my monthly papers for the last month, but will forward them by the next conveyance that offers.

The right wing of the army, under the immediate orders of General Clinch, arrived here five days ago ; having crossed the Withlacoochee at General Gaines's camp, from which point a road was cut for the wagon-train, as the army marched to this place on the west side of the Hillsborough river. We found here the central army under Colonel Lindsay, and part of the left, under General Eustis; the other part being encamped fifteen miles north of this, on the Fort King road.

Yesterday the Louisiana regiment, about six hundred strong, embarked for Charlotte's harbor, where they will be joined by two hundred mounted men from South Carolina, to make a tour to Pease creek, where it is said a few hundred of the hostile Indians are located.

Boats are now constructing here to transport stores up the Withlacoochee; so soon as finished, (will be about three days,) a command will be sent with stores to the mouth of that river, and up it fifteen or twenty miles, to a suitable position for a depot; then the right wing will return by nearly the same route, to the large hammocks in the vicinity of the forks of the Withlacoochee; the centre and left will march by the Fort King road, and turn to the left, so as to approach the same hammocks on the east side: the whole will be in motion on or about the 13th instant.

We are still wanting in sufficient means of transportation, and have not now the time to increase it; a number of horses (180) and wagons were required by Assistant Quartermaster Newcomb from Major Clark, which have not yet come to hand, though time sufficient has elapsed; and it is presumed they will not be sent, as we learn that Major Clark has been told by an officer of rank, from the seat of war, that the war is over, and concludes of course that they will not be wanted.

In almost any other country, the means we have would be sufficient; having with the right wing, for two thousand troops, about twenty-four four and five-horse wagons, besides a small allowance of two-horse wagons to the troops, for the transportation of tents, &c. The other two armies have not quite so much in proportion to their strength. But the state of the roads will not admit of the wagons being over half loaded, and the horses and mules, with the greatest care, fail and break down to an alarming extent. We have lost many by death, on the last march.

I have the honor to be, sir, with great respect, your very obedient servant,

S. SHANNON,

Assistant Quartermaster.

Major General THOMAS S. JESUP,

Quartermaster General, U. S. A., Washington.

No. 155.

WAR DEPARTMENT, *May 16, 1836.*

SIR : I enclose for your information the copy of a letter this day addressed to Governor Call. The general views of the President as to the

measures necessary for the defence of Florida are therein stated ; and this letter, together with that to you of May 5th, from the Adjutant General, will communicate all the information which seems requisite as to the opinions entertained here upon the subject. I have to request that you would make such arrangements as the circumstances call for, so as to afford adequate protection to the settlements, until it shall be deemed proper again to renew offensive operations.

General Clinch has tendered his resignation, but the President is not willing to accept it, having confidence in his experience and military capacity. You are at liberty to leave Florida and resume the command of your department, whenever you think you can do so with a just regard to public interest. You will turn over the command to Brigadier General Clinch, or, if he leaves the service, to the next officer in rank, furnishing such instructions as you shall think proper.

The latest information from the Creek country, in Alabama, leads to the opinion that the Creek Indians meditate hostilities. The Governors of Alabama and Georgia have been authorized to call out such militia as may be necessary ; and General Fenwick has been ordered to proceed to that country with six companies of artillery. It is desirable that you should direct your personal attention to that quarter, and, if necessary, assume the command, calling for such a militia force, under your instructions of January 21, as you may find necessary.

Very respectfully, your obedient servant,

LEWIS CASS.

Major General Scott,
St. Augustine, Florida.

No. 156.

WAR DEPARTMENT, *May 16, 1836.*

SIR : I have received your letter of May 4th. You will perceive that while Major General Scott is in Florida charged with the general measures of defence, it would not do for this Department to authorize the organization and employment of a force independent of his authority. Still, however, if any portion of the frontier is left without defence, and the inhabitants exposed to danger, the President will sanction the calling out by you of a force necessary to repel the attacks of the Indians. You may rely upon every disposition being felt here to afford due protection to the inhabitants of Florida, and to reduce the refractory Indians to submission.

General Scott, by the last advices, was at St. Augustine, awaiting the orders of the Department. He will be authorized, after putting the frontier in a proper state of defence, to turn over the command to General Clinch, and to return to his department, if the state of affairs there will, in his opinion, permit. You will perceive the extreme difficulty of determining here what posts should be abandoned or established, when there is a contrariety of opinion between officers of high rank in that country. My own impression respecting general defensive measures is, that healthful positions should be sought along the lines, and temporary posts established, with slight defences, for the occupation of the troops during the summer season ; that it is better to have more posts with fewer men in

each, than it is to have few posts with large garrisons; that the Indians will scarcely collect in large masses, or attack fortified positions, but that they will spread themselves along the frontiers in small parties, doing all the mischief they can. The troops should at all times be upon the alert, and there should be mounted men employed acquainted with the nature of the country and the habits of the Indians, who can instantly follow any marauding parties which may strike upon the settlements. It is indispensable that the Indians should be pursued. If they find that their expeditions are successful, and that they are not followed to their fastnesses, they will lay waste the whole frontier. Certainly, where an Indian can go, a white man can follow. It is necessary, however, for this purpose, that a corps of spies and guides should be formed, and kept continually in motion. Whenever a hostile party is discovered, their trail should be followed, and the necessary force, infantry and mounted men, kept within supporting distance of those spies. Vigilance, activity, and decision are essentially necessary to secure these objects in view.

From your representation, I am under the impression that a very small force at Tampa bay will be sufficient, and that the other troops had better be stationed upon the line of the frontier settlements. I shall transmit to General Scott copies of your letter, and this answer, that he may know the views of the Department. He will be authorized to keep in service such mounted men as may be necessary for defensive operations during the summer season.

From what is understood here of the climate, men not accustomed to it cannot with safety carry on military operations. If this be so, the regular troops ought not to be required to do any more than defend their positions, overawe the Indians, and pursue any war parties that may make their appearance, and, perhaps, also, occasionally ranging through the more healthful parts of the country.

I mentioned, in a preceding letter, that there was a bill pending before Congress for raising a volunteer force; and that as soon as it passed, definitive measures would be taken on the subject of your proposition to embody a force of this description. Congress has not finally acted upon this matter. But, in the mean time, you are authorized to take preparatory steps for raising one thousand volunteers, to be employed, whenever required, in operations against the Seminole Indians. I enclose you a copy of the bill for your information; but, you will please to observe that, as it has not passed, no definitive measures can be taken upon this subject, nor assurances given. The men may be enrolled, and the company officers selected, so as to be ready to be embodied the moment the bill passes. They should be organized with respect to officers, non-commissioned officers, and privates, agreeably to the existing militia laws of the United States. The question respecting the appointment of superior officers will be determined as soon as the law passes. All this will be considered as the mere voluntary act of the individuals, and will not subject the Government to any expense whatever, until the necessary legal provision is made. It is merely preparatory to an organization.

I have shown this letter to the President, who has authorized me to express to you his approbation of it.

Very respectfully, your obedient servant,

LEWIS CASS.

His Excellency R. K. CALL,
Governor of Florida, Tallahassee, Florida.

P. S.—The President suggests that whenever the Indian ponies and beef-cattle cannot be taken for the use of the army, they should be shot.

No. 157.

HEADQUARTERS, GEORGIA,

Milledgeville, May 18, 1836.

SIR: The Creek Indians are in a state of open war, killing and destroying every thing in their way. They have crossed to the Georgia side of the Chattahoochie and burnt Roanoke, and an attack on Columbus is daily expected. All the white people of the nation who have not been murdered, have fled to Georgia. The people on our frontier are in a wretched condition—their lives and property being at the mercy of the savages. The militia of the adjoining counties have been called out almost *en masse*, and I have been making exertions to get troops to the field, but the want of proper organization of the militia makes this a difficult task. I am endeavoring for the present to defend Georgia, and as soon as I can obtain a sufficient force I intended to carry the war into the enemy's country.

I should have written you immediately on hearing of these difficulties, but did not know until now where to address you. If you can spare any United States troops for this service, they will be acceptable, and I should be glad if you can send an officer to muster the militia I have furnished, and shall furnish, into the service of the United States. If your presence is not necessary in Florida, I shall be very glad to see you on the line of the Chattahoochie. We know so little of military matters and the economy of an army, that your presence will be quite acceptable.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM SCHLEY.

Major General WINFIELD SCOTT,
St. Augustine, Florida.

No. 158.

WAR DEPARTMENT,

May 19, 1836.

SIR: I transmit for your information a copy of a letter this day addressed to Brevet Major General Jesup, and copies of letters to the Governors of Alabama and Georgia.

Very respectfully, your most obedient servant,

LEWIS CASS.

Major General W. SCOTT,
St. Augustine, Florida.

No. 159.

WAR DEPARTMENT, *May 19, 1836.*

SIR: By direction of the President, you are hereby assigned, as a Brevet Major General, to the command of the troops of the United States, and of the militia which may be called into service from Georgia and Alabama, for the suppression of hostilities in the Creek country. Intelligence just received from that quarter shows that hostilities have commenced on the part of the Creek Indians against our settlements. You will, therefore, repair without delay to that quarter, and take such measures as you may find necessary for the reduction of the Indians. You will receive from the Adjutant General a statement of the regular force which has been ordered to that quarter. In addition to this, the Governors of Georgia and Alabama have been authorized to call into the field such of the militia as they might find necessary, in the event of actual disturbances among the Indians, or of such a state of things as should leave no doubt that they meditate them.

Letters have this day been addressed to the Governors of those States, requesting them to call into the field such militia force as you may require. It would be better, on all occasions, that these should be volunteers, and that they should engage to serve for six months, unless sooner discharged. If, however, it is necessary to resort to draughting, the term cannot be prolonged by law beyond three months.

You are aware that a bill is pending before Congress for the organization of a volunteer force. Should this pass in time for your operations, it would no doubt be better that the troops required should be engaged under it.

I have, as you will perceive, stated this view to the Governors of Georgia and Alabama, and informed them that, as soon as this bill becomes a law, I will communicate the fact to them, together with such suggestions as may appear necessary.

Your efforts will be directed to the unconditional submission of the Indians. As fast as this is effected, and as any parties of them can be collected, they must be disarmed, and sent immediately to their country west of the Mississippi. For this purpose you will employ such officers and military detachments as may appear necessary.

You will call upon the Commissary General of Subsistence for a statement of the arrangements that have been made on the subject of the removal of these Indians. Captain Page of the army has at present the direction of the matter. A contract with a number of persons in that country has been entered into, for subsisting and transporting these Indians. If they are able and willing to go on with their contracts, you will allow them to do so. But immediate action is necessary; and if you experience any delay, you can cause the provisions, means of transportation, &c., to be purchased by the military agents. The great object is to remove them immediately; and to this other considerations must yield. Captain Page will communicate to you all his instructions, and the regulations of the Department, by which you will see the system of administration that has been adopted upon this subject. This will be adhered to wherever the new state of things does not require a change. You will take care that all practical economy is preserved, and that the disbursements are faithfully accounted for. And with respect to your military

operations generally, I have to request that you would direct your attention to an economical administration of your military expenditures, and a proper preservation and accountability of the public supplies.

Should Major General Scott, under the instructions he has heretofore received, proceed to the theatre of operations, he will, of course, be entitled to the command, and you will serve under him. You will take care and call on the chiefs of the military bureaus for such supplies as you may require; and, previous to your departure, make all the necessary arrangements, so that you may not experience any delay from want of funds, munitions of war, or other supplies.

It is very probable that portions of the Creek Indians may not as yet have been concerned in actual hostilities, although, from the predisposition of the Indians for war, there is every reason to believe they will do so, unless prevented by a timely removal. It will be proper where this is the case, to treat these Indians with the kindest attention, and to send them off as speedily as practicable, in order to get them out of the reach of the scenes around them. Still, however, they must be removed by a military force, if necessary, as all experience has shown that it is difficult, if not impracticable, to keep any considerable part of an Indian tribe at peace while the residue of it is engaged in war. And, besides, it would be impossible to prevent the hostile warriors from taking shelter among the others; or, indeed, to determine with any reasonable certainty, and for any length of time, who are hostile and who are friendly.

The President has been desirous of ascertaining what frauds have been committed upon these Indians, in the sale of their lands, with a view to remedy the evil as far as possible. But this effort, a succinct account of which will be communicated to you by the Commissioner of Indian Affairs, has been now stopped by war. It is still, however, desirable that the friendly part of the Creeks, (if, in fact, any of them should remain friendly,) should be relieved from the embarrassments under which they have labored with respect to their lands.

I enclose the copy of a letter from Captain Page, by which you will perceive the views of that officer on the subject, and the proposition made by the Upper Creeks. This proposition has been approved, and Capt. Page advised of the fact. So far, therefore, as any part of this division of the Creeks shall remain peaceable, you are authorized to sanction the proceeding recommended. But, whatever is done must be done without delay, for it is very important that these people should be immediately sent off. You will assure them that the Government is anxious to do them justice, and that the claims of those who remain at peace, and remove to the country west of the Mississippi, will be duly attended to. A descriptive roll of all these persons will be taken, in order to determine their cases hereafter. It is impossible, for the want of time, to cause abstracts to be prepared, showing the sales that have been made by the Creek Indians; and, therefore, no directions can be given for any definite proceedings upon that subject. There is no objection, however, in the cases of these friendly Indians, to permitting them to sell, agreeably to the established regulations, a copy of which you will herewith receive, if the purchaser can satisfy himself that no contract has been heretofore made for the sale of the land. But if this is done, he must do it upon his own responsibility; for if a previous valid contract has been entered into, the first purchaser must hold the land. If the arrangements stated by Captain Page should

take effect, you are authorized to select a competent officer, should the Indians desire it, to see that justice is done; and also to appoint a certifying agent, to certify contracts, should any be entered into as above mentioned. His duties and compensation will be governed by the prescribed regulations.

If, however, these matters cannot be satisfactorily arranged previous to the departure of the Indians, you will assure the friendly-disposed part of them that measures will be taken as early as practicable to see that justice is done to them, and that the land shall be disposed of at its fair value, and the proceeds paid over to them.

The moment the annuity bill passes, arrangements will be made for paying, to the peaceable Creeks, their just proportion of it.

Very respectfully, your obedient servant,

LEWIS CASS.

Brevet Maj. Gen. THOMAS S. JESUP,
Washington City.

No. 160.

HEADQUARTERS, &c., SAVANNAH,

May 22, 1836.

SIR: I landed here from St. Augustine a few minutes since, bound to the Creek nation *via* Augusta and Milledgeville. I wrote to you on the 20th instant; you will receive that letter with this.

The same night I received the letter of the Secretary of War and one from your office, both dated the 15th ultimo. Those papers and others had gone to Newnansville, thirty-five miles north of Fort Drane, where they were heard of by accident, and sent for.

My late indisposition is not to be attributed to either fatigue or climate. At the beginning of the month I imprudently threw off my flannel, took a violent cold, and have been prostrate for more than two weeks. I am now fast recovering strength; and do not doubt, by the time I arrive at Augusta, going up by steam, I shall be equal to any service whatever, on foot and on horseback.

My usefulness, however, I am told here, will have been much impaired by the probable general publication, in the interior, of my letter to you of the 30th ultimo.

No doubt seems to be entertained by any one that hostilities have been commenced by the Creeks. I shall spend one day in consultation with the Governor, at Milledgeville, and proceed to the point where the greatest body of troops may be assembled. If sufficient numbers have not been put in the field, I shall call for the corps I may deem necessary from Georgia and Alabama.

To organize the forces, and to push them on the enemy, will occupy my early attention; but the first object will be to organize a commissariat, and to establish sufficient depots of subsistence. I have but one officer in my staff, at this moment, Paymaster Kirby; but he is a host within himself. An assistant commissary I shall certainly find at Fort Mitchell, and may hear of another at Augusta. Funds, by draft on the Department, I do not doubt I may raise for the moment, till regularly supplied. Some

spare officers, I hope, will be speedily sent to me for disbursements. Lieutenant Herring will soon join me as an aid-de-camp.

I could not, prudently, take a single company from Florida. Some regulars, I may hope to hear of at Augusta, coming from the North.

I shall send an order for Dr. Lawson, now supposed to be at New Orleans, and hope to obtain the services of Captain Shannon, of the quartermaster's department, who is somewhere in the west of Florida, on the duties he was engaged in before the Seminole war.

If I can recover myself with the volunteers, (and I shall make every sacrifice but truth to accomplish the object,) I do not doubt of meeting the wishes of the Government in this new war. The Creeks are accessible. Troops only are wanted to attack and subdue them.

I have ordered the new musket accoutrements, the new arms, and the new tents, from Picolata and St. Augustine, to Augusta, and also some spare fixed ammunition from the former place.

Four hundred barrels of hard bread, found here, and also some bacon, neither of which will be *immediately* wanted in Florida, will also be ordered up the river.

I enclose a copy of my letter of instruction to Brigadier General Eustis, whom I left in command in Florida.

The reasons assigned by the council of war for abandoning Fort King are many: the difficulty of furnishing wagons and escorts for supplies; the post covers absolutely nothing; the want of its garrison (two companies) to occupy more important points, &c. I concur in those reasons. I shall write from Augusta. I do not doubt that I shall overcome all prejudices against me, and then overcome the enemy.

With great respect, your most obedient,

WINFIELD SCOTT.

Brig. Gen. JONES,

Adj. Gen. U. S. A.

No. 161.

WAR DEPARTMENT, May 23, 1836.

SIR: I consider it very important that you should, at the commencement of your operations, station a sufficient force at the south point of the Creek country, so as to prevent the retreat of the Creek Indians into Florida, and also to cut off all communication between them and the Seminole Indians. This matter was the subject of conversation previous to your departure; but it seems to me so deeply interesting, as well to the successful result of your operations as to the proper safety of Florida, that I am again induced to present it to your notice.

I have to request that Captain Page may be allowed to devote his exclusive attention to the arrangement of the Indian business, and the removal of the Indians. All I can expect from you in this matter is a general supervision. Captain Page is well acquainted with the whole subject, and to him it can safely be committed.

Very respectfully, &c.,

LEWIS CASS.

Major General JESUP,

Milledgeville, Georgia.

No. 162.

WAR DEPARTMENT,

Washington, May 25, 1836.

SIR: As, from the permission previously given, and the events in the Creek country, there is reason to believe you may have left the Territory of Florida, arrangements have been made, should this be so, for the defence of the country against the operations of the hostile Seminoles. As, however, it is possible this letter may yet find you in Florida, I enclose for your information the instructions in relation to this subject. Should you remain there, you are requested to carry them into effect.

Very respectfully, &c.,

LEWIS CASS.

Major General Scott,
St. Augustine, Florida.

No. 163.

ADJUTANT GENERAL'S OFFICE,

Washington, May 26, 1836.

GENERAL ORDER, No. 34.

Should Major General Scott and Brigadier General Clinch not continue on duty in Florida, Governor Call, under instructions from the War Department, is, in such event, authorized to take command of the regular troops of the United States, and of the militia serving in Florida. The orders of the Governor of Florida will be obeyed accordingly, and his requisitions on the several departments of the general staff will be promptly complied with.

By order:

R. JONES, *Adjutant General.*

No. 164.

HEADQUARTERS, ARMY OF THE SOUTH,

Augusta, Georgia, May 26, 1836.

SIR: I arrived here last night on my way to Fort Mitchell, to assume command in that quarter, and am restored to health.

I should have proceeded to-day, but find that I can occupy myself usefully till to-morrow.

I enclose a copy of a letter addressed by me to the Governor of Georgia, and the copy of one that I have just addressed jointly to the quartermaster and commissary of subsistence at New Orleans.

I have just had the honor to receive two letters from the Secretary of War, dated the 16th and 17th instant, respectively. According to the permission contained in the first, I shall assume the direction of the war against the Creeks.

I have also received your letter of the 17th instant, addressed to me, and copies of your letters to Brigadier General Fenwick, of the same date, and to Lieutenant Mackay of the 16th.

The latter is temporarily charged with the duty of the quartermaster's department at Savannah, during the absence of Lieutenant Dimmock, who is here. On the return of the latter, Lieutenant Mackay will be ordered to join me for duty on the Chattahoochie. He is a valuable young officer.

I must further acknowledge the receipt of General Orders Nos. 29, 30, and 31.

Colonel Lindsay I have not heard from directly since I saw him on the Big Withlacoochee. Unofficial accounts represent him as sick. He will be instructed to join the army on the Chattahoochie as soon as practicable.

I have time to add no more at present, but will write again to-morrow.

With great respect, I remain your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. Army.

P. S.—I received a letter at Savannah, from the Governor of Georgia, requesting me to hasten to the theatre of the Creek war. I promptly replied that I was on my way thither; but feared that the publication of my letter to you, of the 30th ultimo, would much impair my usefulness. Hence an allusion to my letter to his excellency, a copy of which is herewith enclosed.

W. S.

No. 165.

HEADQUARTERS, ARMY OF THE SOUTH,
Augusta, Geo., May 26, 1836.

SIR: I arrived here last night, and intended to proceed to-day to Milledgeville, to wait upon your excellency, and to arrange every thing for the prompt and vigorous prosecution of the war against the Creeks. I am, however, advised to delay my journey twenty-four hours, to give time to counteract a strong prejudice against me, growing out of a letter of mine to the Government, recently published. To effect this object, the noble commander of the Augusta battalion, lately under my command, has addressed me a letter, to which my reply, I think, cannot fail to be satisfactory. Both will be, I understand, without any direct agency on my part, immediately published.

My delay here will be of benefit in more important matters to the service.

From Picolata, St. Augustine, Charleston, and Savannah, I have ordered essential stores to be immediately transported towards the theatre of operations on the Chattahoochie. Some arms, ammunition, accoutrements, tents, and one hundred thousand rations, will immediately be shipped from those places, *via* Darien, to Hawkinsville, on the Ockmulgee, which I suppose to be within seventy-five miles of Columbus. From

New Orleans I have also ordered to be sent up to the highest navigable point on the Chattahoochie, in light steamers, two hundred and fifty thousand complete rations, and I shall take measures for the supply of two hundred bushels of corn-meal daily on the same river. This I shall do on my route between Macon and Columbus, and purchase up all the bacon which the same district of country may furnish. Ten wagons loaded with subsistence will leave this place for the same destination to-morrow morning.

Of the ten companies of regulars expected from the North, one has already arrived here. [A mistake, a detachment of recruits have arrived.]

If I do not find you at Milledgeville, I shall soon have the pleasure of seeing you further to the west.

If the forces of the enemy amount to 6,000 warriors, I shall wish to oppose to him a rather larger force. A little more than half I shall require of your excellency, and the remainder from Alabama; perhaps, a part from Tennessee.

I presume it will be best to assemble the great body of our forces as low down as Irwinton, and operate thence up the country.

I have the honor, &c.

WINFIELD SCOTT.

His Excellency W. SCHLEY,
Governor of Georgia.

No. 166.

HEADQUARTERS, ARMY OF THE SOUTH,
Augusta, Geo., May 26, 1836.

SIR: The Creek Indians on the Chattahoochie river have commenced open war against the United States. The Governors of Georgia and Alabama have already put large forces in the field, and I am hastening to the theatre of operations. Ten thousand regulars, volunteers, and draughts may soon be expected to be assembled on that river, and the resources of the neighborhood cannot be expected to supply the necessary means of subsistence for many days. From Savannah and Charleston I have ordered about one hundred thousand rations to be sent, *via* Darien, up the Ockmulgee river to Hawkinsville, distant by land about seventy-five miles from Columbus; but our principal supplies of subsistence must be derived from New Orleans.

You will, therefore, immediately on the receipt of this letter, begin to purchase and send rapidly up the Appalachicola and Chattahoochie rivers, bread, flour, bacon, and small rations, in all, until further requisitions, say two hundred and fifty thousand complete rations; and I shall soon, no doubt, demand from you other large supplies.

I understand that the Chattahoochie river may be expected to continue navigable for steamboats of light draught of water all the next month, at least as high as Fort Gaines or Irwinton, fifty or sixty miles below Columbus; and I shall take care to have a person or persons on the river, (which I shall first clear of the enemy,) ready to receive the subsistence as it may arrive; but, in chartering vessels, you will be careful to stipu-

late that the cargoes shall be delivered at the highest navigable point that may be required.

I look to your zeal and activity to execute this order with the least possible delay. Hard bread is preferred to flour, and bacon to pork ; but the rations must be sent, although you may be obliged to substitute large portions of flour and pork. For the second shipment, if not for the first, it is hoped you may cause a sufficient quantity of hard bread to be baked.

I remain, in haste, your obedient servant,

WINFIELD SCOTT.

To Major J. CLARK,

U. S. Quartermaster ;

Or,

Lieutenant GRAYSON,

U. S. Commissary, New Orleans.

P. S. Cause to be made and shipped as speedily as possible, with the subsistence, say four hundred camp-kettles. Purchase and send at the same time about the same number of felling-axes.

W. S.

No. 167.

HEADQUARTERS, ARMY OF THE SOUTH,

Augusta, Georgia, May 27, 1836.

SIR : From my confidence in your administrative talents, derived from your services in Florida, I appoint you agent of the Quartermaster's and the Subsistence departments, at one hundred dollars per month. I have, from experience, equal confidence in your zeal and integrity.

It is my wish that you proceed as soon as practicable to Hawkinsville, on the Ockmulgee river, to which point large quantities of subsistence, quartermaster's and ordnance stores have been or will be speedily shipped. At that place, on this side, and in its neighborhood, I wish you to engage on the best terms for the United States, say from sixty to one hundred four, five, or six-horse wagons, to take those supplies to Columbus and Fort Mitchell, on or near the Chattahoochie river, without delay. Other wagons will be sent back from that river to aid in the transportation of the stores from Hawkinsville to the army on the Chattahoochie.

I shall, probably, not leave you long stationary at Hawkinsville, for, besides causing the stores to be put into wagons at that place for the army on the Chattahoochie, you will be wanted at or near my head-quarters for other purposes. Lieutenant Heintzelman, of the United States second infantry, it is hoped, will soon replace you at Hawkinsville, in the business of forwarding the stores expected there. In the mean time, you will purchase in that vicinity any quantity of good bacon which you can obtain at a fair price for the army, and forward the same, without delay, to Columbus or Fort Mitchell.

For the amount of such purchases you may make of bacon, beef-cattle on the hoof, and of corn-meal for the use of the army—in the purchase of bacon you are limited (for the present) to sixty thousand pounds ; in

the purchase of beef-cattle to 350 head, and in the purchase of corn-meal to fifteen hundred bushels. These several items of subsistence you will endeavor to obtain as near to Fort Mitchell or Columbus as possible, so as to diminish the expense of transportation ; and it will be better that each should arrive at the army in portions say of one-third each, at intervals of from three to five days. Further supplies of bacon, beef-cattle, and corn-meal will be wanted ; but in respect to these you will receive from me subsequent instructions.

To enable you the better to execute my orders and wishes, five thousand dollars are now placed in your hands, for which you will pass your duplicate receipts to the officer (Major Kirby) from whom you will receive the money.

It is possible that you may find it more economical to transport a portion or even the whole of the supplies ordered to Hawkinsville to Macon. Should you find that the case, you will direct the boats to take the supplies to the higher point on the Ockmulgee, and cause them to be thence transported in wagons to the army on the Chattahoochie river.

In this matter I rely on you to exercise a sound discretion.

Every train of wagons that you may despatch from Hawkinsville or Macon for the army, you will cause to be accompanied by a respectable wagon-master or agent, whom you will engage, to be paid by the United States at reasonable prices.

I remain, with great respect, your obedient servant,

WINFIELD SCOTT.

JOSEPH A. BEARD, Esq.

Agent for the Quartermaster and Commissary Dept's.

No. 168.

AUGUSTA ARSENAL, GA.,

May 31, 1836.

SIR : I have the honor to enclose herewith a copy of a communication received from his excellency Governor Schley ; and upon this requisition I have this day turned over to the assistant quartermaster here, for transportation to Columbus, to the address of Captain R. P. Parrott, ordnance officer, one thousand muskets. I respectfully request to be informed whether the issue will be considered to the State of Georgia for "arming and equipping the whole body of militia," or for the use of the militia called into the service of the United States.

I am, sir, very respectfully, your obedient servant,

N. BADEN,

Major United States Army.

Major General W. Scott,

United States Army.

No. 169.

HEADQUARTERS, GEORGIA,

Milledgeville, May 27, 1836.

SIR: I have not arms enough for the militia called to the protection of the frontier. You will therefore confer a favor on me by furnishing one thousand stand of muskets, &c., with a suitable quantity of flints and fixed ammunition.

Messrs. Stovall and Simmons will employ wagons to transport them to Columbus or to Milledgeville, if any thing should occur before their arrival here to render it unnecessary for them to proceed to Columbus.

If General Jesup or General Scott should have made arrangements for these articles before the receipt of this, you will of course not send those now requested.

I am, very respectfully, your obedient servant,

WILLIAM SCHLEY,

Governor of Georgia.

To the OFFICER in command

of the U. S. Arsenal, near Augusta, Ga.

No. 170.

Postscript to letter to Major J. Clark, assistant quartermaster, or Lieutenant Grayson, assistant commissariat, at New Orleans, dated Augusta, May 26, a copy of which was sent from Milledgeville, May 28, 1836.

HEADQUARTERS, ARMY OF THE SOUTH,

Milledgeville, May 27, 1836.

SIR: My letter to you of the 26th instant is of so much importance, that, for safety, I send you a copy of it.

Major General Jesup, who is with me, has also made large requisitions upon you. These you will consider in addition to what I have demanded, and send the articles accordingly both to Chattahoochie and to Fort Montgomery.

In haste, yours, &c.,

WINFIELD SCOTT.

P. S.—Send forty or fifty sacks of salt to the Chattahoochie for the fresh beef that may be issued to the troops, and to be given to horses.
W. S.

No. 171.

ASSISTANT QUARTERMASTER'S OFFICE,

Augusta, Ga., May 29, 1836.

GENERAL: I enclose herewith several communications received for you since your departure. Mr. L'Engle writes me, dated the 27th, thus:

"Your letter of the 25th instant was received too late to change the direction of a very large quantity of provisions purchased by Lieutenant Simpson, the assistant commissary of subsistence at this place, and forwarded by the railroad to Augusta."

I learn that a large quantity of the provisions here referred to is on the way, and I anticipate much, very much difficulty, in procuring the number of wagons necessary. I shall, early in the morning, despatch agents into the country to engage all to be found on almost any terms. That I shall do all I can, the general may be assured. Ten wagons left here on the 28th. Captain Monroe's company arrived here on the evening of your departure. It awaits at the arsenal the arrival of Major Pierce's command. These companies I find have 75 days' of subsistence with them. This requires about five wagons per company. Mr. Mackay writes me the articles, via Darien, can go up to Hawkinsville without difficulty. Mr. L'Engle says, "the rifles ordered hence to Savannah left here this morning," (27th.)

Major Garland writes to me to furnish you with camp and garrison equipage from the *accumulation* at Savannah. It is almost needless to inform you there is not even one camp-kettle or mess-pen, or any thing else of his department, at Savannah. I am anxious about the delay which I fear must inevitably occur in forwarding the great quantity of stores coming through me. Three hundred wagons will be required; and where they are all to come from I cannot yet say.

I have again written to Mr. L'Engle to forward all else up the river.

I am, general, with very great respect, your obedient servant,
CHS. DIMMOCK, Lt. &c.

To Major General Scott,
Commanding army in Creek war, Columbus.

No. 172.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 2, 1836.

SIR: I have the honor to report, for the information of the Secretary and General-in-chief, that I arrived here three days ago in company with his excellency Governor Schley and Major General Jesup.

No event of importance has occurred in or about the Creek country in a week or two. A small party of the enemy crossed into Georgia the day before I arrived, murdered a few individuals, and burnt some houses. Until the troops are mustered into the service of the United States, they are not under my command. This ceremony commenced yesterday, and will proceed as rapidly as possible. In the mean time, the Governor, whose own military views are excellent, and who has the best possible dispositions towards the General Government and its officers, makes me the compliment to consult me on all points of importance. He has already taken measures to guard the frontier of Georgia, above and below this place, against incursions, and particularly to prevent parties of the enemy from escaping across the river in the direction of Florida. Additional measures shall be immediately adopted to effect this great object, first, by the employment of a steamer hourly expected with a company on board, and by pushing some companies of mounted men to points fifty

and sixty miles below. It is not thought here that there is any danger of the Indians attempting to cross the river lower down.

The strength of the enemy is variously estimated by well-informed persons from 2,500 to 5,000. Captain Page thinks that there are at least 3,000 hostile warriors.

I suppose there may have arrived on this frontier about 1,500 Georgians—mostly, I think, volunteers. As they are distributed over a line of more than forty miles on the river, the Governor has not been able as yet to obtain returns of the detachments. He expects as many more, and the companies almost daily arrive ; but it is not expected that all will be up before the 12th, perhaps the 15th instant.

The Governor of Alabama will probably have in the field about an equal number of men. By his letter of the 28th ultimo, a copy of which is enclosed, it will be seen that he thinks he will be ready to march upon the enemy the 5th instant. I doubt, however, whether he has been able to secure subsistence for his men, in advance, for eight or even five days. On this side there are no magazines. The troops have not suffered, but the supplies have been rather precarious. This state of things must continue at least eight days longer, when the 100,000 rations and other indispensable stores shipped from Picolata, St. Augustine, Savannah, and Charleston may begin to arrive from Macon and Hawkinsville, on the Ockmulgee, by wagons. The supplies ordered from New Orleans cannot be expected before the 18th or 20th instant. Late, long, and heavy rains in this quarter, have greatly injured the roads, but improved the navigation of the rivers.

I enclose copies of my two letters to Governor Clay, and a copy of my instructions to Major General Jesup, who will probably set out to-morrow for Montgomery. He will require a good escort to Tuskegee, forty miles. Beyond that point the communication is understood to be perfectly free.

There is an idea that I have not developed in my letters to Governor Clay : if we fight the Indians with inferior numbers, we should, nevertheless, in all probability, beat them, but with a great loss of valuable lives on our part ; whereas, if we wait for the arrival of all, or nearly all, of our forces, regular and militia, and till we have ample means of subsistence secured for twenty days in advance, I suppose the war may be successfully terminated on our part with but a small loss of lives. This consideration has great weight with me, and it has been developed in a letter from Governor Schley to Governor Clay. A delay of ten days has therefore been urged.

I remain, sir, with great respect, your obedient servant,

WINFIELD SCOTT.

Brig. General JONES,
Adjutant General, U. S. A.

No. 173.

HEADQUARTERS, MONTGOMERY,

May 28, 1836.

SIR : You are aware that hostilities have been commenced by the Creek Indians upon the inhabitants of Alabama, as well as those of Georgia. At the commencement they perpetrated many outrages, though they have

apparently suspended active operations, since a portion of our volunteer militia entered, and have occupied several commanding positions, within the limits of the territory over which they are dispersed. The hostile Indians are, no doubt, still within the limits of Russell and Barbour counties. The important object is to cut off the possibility of their retreat or escape, and terminate the war by a simultaneous movement and co-operation of the several corps which are now, and shortly will be, in the field.

There are now seven or eight hundred volunteers at Tuskegee; and that number will shortly be increased to twelve or fifteen hundred, besides the friendly Creeks, who will act with us. Colonel McLemore, commanding the regiment of the county of Chambers, has tendered his own and their services, and they have been accepted. He will be notified by express, at what time the troops under the commanding general will advance from Tuskegee, in the direction of Fort Mitchell and Columbus, and will at the same time move upon the enemy from his quarter.

There is already at Irwinton a battalion of infantry, which will, within a week, be reinforced by a regiment of mounted gun-men, from the 4th division, to be under the command of Brigadier General Moore, besides other troops. This force will be competent to intercept and prevent the flight of the enemy to Florida, on this side of the Chattahoochie. If his retreat across the Chattahoochie, and through the southwestern corner of your State could be obstructed, I see nothing to prevent his being, at once, overwhelmed and reduced to unconditional submission.

The object of this communication is to invite the co-operation of the troops that may be in the service of Georgia. To accomplish the object in view, it is deemed very important to guard the east bank of the Chattahoochie, opposite to the whole line of Barbour county.

I would be glad to learn, by the return of my express, whether these views meet the approbation of the military officer in command, and whether the desired co-operation may be expected. We shall probably be in readiness to advance from the several points mentioned, by the 5th proximo at farthest.

I am, very respectfully, your obedient servant,

C. C. CLAY.

To the COMMANDING OFFICER of the *Georgia Militia*,
at Columbus.

No. 174.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, May 31, 1836.

SIR: I have the honor to inform your excellency that I reached this place last night, and shall immediately charge myself with the direction of the war against the hostile Creeks.

His excellency the Governor of Georgia arrived here at the same time, as also Major General Jesup, who, in case I had remained in Florida, would, by direction of the President of the United States, have been charged with the chief command.

I am very anxious to send General Jesup to Montgomery, as well to

confer with your excellency on all points interesting to the service, as to take command of all the troops assembled, or to be assembled, on that side of the Creek country. He will accordingly pass over to Montgomery, as soon as a sufficient escort can be procured from this or that side of the enemy, for the purpose. I mean sufficient, in my judgment—for General Jesup would be willing to set out with but a small number of men to protect him.

I am anxious to communicate freely and fully with your excellency: first, to learn at what numbers you estimate the hostile warriors; the forces you have in the field, or expect to join you; the present disposition of the forces actually out, whether mounted or on foot, and the number of each; whether fully armed and equipped—with what artillery, &c.

From Washington, about the 18th instant, a requisition went to your excellency for 2,000 men, 500 to be mounted. From my present information, (which as yet is very imperfect,) I do not believe that a larger force will be required of Alabama. I hope, however, that the 2,000 men are already, or soon will be in the field, and that one-fourth are or will be mounted.

The Governor of Georgia, whom I am happy to be with, expects, from the orders which he has given, to have on the Chattahoochie, (say) in the next ten days, 3,000 men at least, of whom, perhaps a little more than a fourth will be on horseback. Besides these volunteers and draughts, there are now, on this side of Charleston, coming by the railroad, Augusta, Milledgeville, &c., about 1,000 regular troops, (including marines,) to take part in the war. They may be expected to begin to arrive here in seven or eight days; but the rear cannot be up in twelve or fifteen. Half this force is intended to be placed in line with the Alabamians.

Large supplies were ordered by General Jesup, before leaving Washington, from New Orleans to Montgomery, including subsistence for men, and corn for horses. From the same place I have ordered 250,000 rations to be immediately sent to this river, and 100,000 rations, with other stores, are now ascending the Altamaha and Ockmulgee, to be wagoned across to the Chattahoochie. In the mean time, the resources of this neighborhood, in corn, corn-meal, bacon, and cattle, may suffice.

Detachments of troops (I have not had time to learn in what numbers) are now taking positions on the left bank of this river, and as low down as Roanoke, to prevent parties of the enemy from crossing, either for the purpose of escaping towards Florida, or that of committing depredations. The day before yesterday, I learn, some individuals were murdered and several houses burned on the Georgia side.

I am opposed to all premature operations against the enemy. Our forces must first be assembled (in sufficient numbers) and organized, our magazines established, and adequate means of transportation provided. In this opinion I am fully supported by his excellency Governor Schley, and hope to receive your concurrence. In ten or fifteen days every thing will be in readiness on this side; but in the mean time, besides preventing parties of the enemy from escaping to Florida, something may be advantageously undertaken; for example, as soon as we have a surplus force on this side of the enemy, beyond what is necessary to guard the Chattahoochie, we may with that surplus, in conjunction with the Alabamians, begin operations against the lower hostile bands, say from a point below Irwinton. This, however, must be done after hearing from you, and af-

ter I shall be able to send Major General Jesup to cause to be mustered into service the Alabama forces, and to assume the command in that quarter. I am, besides, yet ignorant of the routes taken by troops from the Tallapoosa and Alabama rivers, to a point on the Chattahoochie as low down as Irwinton, and of the means of transportation with these troops, &c. I do not mean that the Alabamians should march to the Chattahoochie, but that they ought to place themselves below the enemy, and act upwards in concert with the Georgians, who will be thrown for the purpose down the river, at least as low as Irwinton.

In haste, I have the honor to remain, with high respect, your excellency's most obedient servant,

WINFIELD SCOTT.

To his Excellency C. C. CLAY,
Governor of Alabama.

P. S. Besides the information specifically requested above, I shall be happy to receive any views of your excellency on the subject of this war.

Permit me to say that, according to the views expressed above, it will not be necessary to send troops from your side of the enemy to Fort Mitchell.

I have requested Captain Page, of the army, who is here, to answer some inquiries contained in your letter to the commanding officer at Fort Mitchell, to save time.

W. S.

No. 175.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, May 31, 1836.

SIR : Since my letter of this morning, your excellency's dated the 28th instant, and addressed to "the commanding officer of the Georgia militia at Columbus," has been received. I have just read it, with his excellency the Governor of Georgia, who concurs with me, for the reasons mentioned in my letter to you of this morning, that it is desirable that you should delay vigorous operations against the enemy to a day at least as late as the 12th *proximo*. By that period all the Georgia troops will have arrived and been organized, and mustered into service, and the regular troops will be near at hand. Major General Jesup, too, who has funds for the war, and is in possession of the general views of the Government, and my own, will have, in the mean time, joined you, and have arranged every thing on that side of the enemy according to those views.

I am, on reflection, even of the opinion that it will be better to postpone the system of general operations against the enemy to the 15th *proximo*, in order that the regular troops may be up with a good train of artillery, and our magazines of every sort fully supplied. The proposed delay would, in all probability, abridge the period of active operations, and place the successful termination of the war beyond the reach of hazard. To effect this great object, your excellency cannot be more desirous than myself. For its accomplishment, means and efforts shall not be spared.

My knowledge of the theatre of operations, of the numbers and distribution of the enemy, must, for a day or two longer, necessarily continue

imperfect. As I get information, my views and plans may be modified. Every change, and every important fact, shall be freely communicated.

I have the honor to be, with high respect, your excellency's most obedient servant,

WINFIELD SCOTT.

To his Excellency C. C. CLAY,
Governor of Alabama.

P. S. There is not a steamer here at present. As soon as they arrive, two at least shall be engaged: one to cruise up and down this river, with troops on board, to prevent the enemy from crossing; and the other to go immediately to the Mount Vernon arsenal, on the Mobile, for arms, ammunition, &c.

W. S.

No. 176.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 1, 1836.

SIR: I wish you to repair, by any route deemed by the intelligence of this place as perfectly safe, to Montgomery, in Alabama, or to the headquarters of his excellency the Governor of that State, for the purpose of charging yourself with the direction of the war against the hostile Creek Indians on that side of the country occupied by them. Your first step, if there be time, will be to cause all the volunteers and draughted men, ordered into the field, to be duly mustered into the service of the United States, in the manner indicated in my Order of yesterday, numbered *one*.

For the composition of a company, a battalion, and a regiment, see the organic law of the United States, passed in 1792, amended in respect to the field and staff of a regiment by an act passed in 1816. Two regiments you may consider a brigade, and two brigades a division. These points are here mentioned, because they are not so clearly settled by the act of 1792 as they might have been.

Sixty-four privates constitute the basis of a company, according to the organic law, and I have the positive instructions of the War Department to see that the number of officers of every grade do not exceed (in proportion) the number of men. Nevertheless, as the forces of Alabama have, no doubt, like those of Georgia, been suddenly pushed upon the enemy's frontier, without a nice regard to the organization prescribed by the act of 1792—some companies consisting of more, and others of less than sixty-four privates each—I mean myself to look to the average strength, and act liberally in respect to officers: that is to say, I shall not hesitate, if the companies (whether of foot or mounted men) present as many officers, to accept, with a company, one captain, one first, one second lieutenant, and one ensign. With a view to uniformity, I wish you to observe a like liberality.

For a regiment of ten companies, you will accept and muster all the field and staff officers provided for by the act of 1816; but should the regiment present only six or seven companies, no colonel can be al-

lowed; to a battalion of four or five companies only, a major can be given, with one adjutant, one quartermaster, one sergeant major, and quartermaster sergeant, and one drum or fife major.

The staff of a division, and of a brigade, you will find clearly fixed by the act of 1792; and I am not aware of any amendment of that law in this respect.

I have given you the above details, in order that all the volunteers and draughted men of this army may be placed on the same footing.

His excellency the Governor of Alabama has proposed, in a letter that you have seen, to commence vigorous operations against the enemy as early as the 5th instant. You have seen my reply to that letter, and are well acquainted with all the considerations which have induced me to propose a postponement to the 15th. In the mean time, however, and before the regulars and all the forces of Georgia shall arrive, I think something very advantageous may be safely attempted from a point at or below Irwinton, operating *up* the country. I shall wish you, therefore, as soon as you are in command, to send as many of the Alabamians as can be safely spared from other great objects to the vicinity of Irwinton, to co-operate with any surplus troops of Georgia that we may have for the field, after guarding the important points on this river. What this surplus may be, at the end of (say) eight or ten days, I cannot speak with confidence; but from the expectations of his excellency Governor Schley, I think we shall, by that time, be able to send to that point from 1,000 to 1,300 men, including horse and foot. This force, with a little addition to that which Governor Clay, as you have seen, proposes to send to Irwinton, and some four or five companies of regulars that may be expected here in time, I think we may clear the lower part of this river—that is to say, the whole of Barbour county, of the enemy, by the 17th instant, and before the arrival of the last of the regulars expected from the North. By that time all our forces on this side will be up and ready to be thrown across this river for vigorous co-operation; and as we advance up the country, a portion of the volunteers guarding the river may be crossed over and united with the pursuing army.

In respect to the removal of Indians who have been uniformly friendly, or who may come in or surrender themselves for emigration, you are fully acquainted with the views of the Government; and I can only add, carry out those views.

I learn that a body of friendly Creek warriors have been organized into a corps, under General Woodward, to co-operate with our troops as auxiliaries in this war. Their fidelity might be much more safely relied upon if their families were first sent to a secure place beyond the Creek country. On this subject you will please advise with Governor Clay, who will be a much better judge of it than you or myself. You will take care to communicate to me fully, from time to time, your means, your movements, and your plans, and you will hear from me frequently.

Entertaining the highest confidence in your zeal, abilities, and experience,

I remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

Maj. Gen. T. S. JESUP,
U. S. Army, &c.

No. 177.

MOUNT VERNON ARSENAL,

Alabama, February 8, 1836.

SIR: I am directed by the Government of the United States to issue, on the requisitions of the generals or field officers commanding any portion of the forces operating against the hostile Indians, such arms and munitions of war as may be required for this service. Having noticed through the public press that the Creek Indians are likely to become troublesome, I deem it proper to communicate to you, as the Chief Magistrate of the State of Alabama, the orders of the War Department to me in relation to this matter.

I have the honor to be, sir, very respectfully, your obedient servant,
E. HARDING,
Capt. Ordnance.

To his Excellency C. C. CLAY, Esq.,
Governor of Alabama.

N. B. It is proper to acquaint you what kind of stores we have on hand: 10,000 superior new muskets, with buck-shot and ball-cartridges; and 10 pieces of field artillery, completely equipped.

No. 178.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 3, 1836.

SIR: On the receipt of this, you will lose no time in hiring a steamer of light draught of water, and put on board of her, for this place, four pieces of ordnance, two howitzers, and two six-pounders, with harness and implements complete, and at least one hundred and fifty rounds of ammunition (fixed) for each piece. If you have no howitzers, you will send four six-pounders. Let the greater number of rounds of fixed ammunition be grape and canister, with some shells for the howitzers, and some round shots for the six-pounders.

Put on board the same boat 3,000 stand of muskets complete, but I fear you have no accoutrements; nevertheless, send the arms with prick-ers, primers, &c. Send, further, 100,000 rounds of fixed musket, buck and ball, and some buck cartridges, and 50,000 flints.

I rely upon your using the utmost despatch. If you can engage the steamer by the month, on reasonable terms, do so, as I shall require at least two on this river.

Respectfully, your most obedient servant,

WINFIELD SCOTT.

Captain HARDING, *Commanding*
U. S. Arsenal, Mount Vernon.

No. 179.

MOUNT VERNON ARSENAL, *June 14, 1836.*

SIR: Your letter of the 3d instant, making a demand on this arsenal for ordnance and ordnance stores, was received last evening. Not having the articles on hand which you call for, and there being no mail in the direction of Columbus before to-morrow, I despatched at once a trusty artificer with a copy of your order to Captain Newton, the commander of the Baton Rouge arsenal, with instructions to furnish immediately all that was required. By the same messenger I sent another copy of the order to Major Clark, assistant quartermaster at New Orleans, with the request that he would charter a "steamer" in New Orleans, and order her to Baton Rouge for the stores. Captain Newton, by this time, has received large supplies of ordnance and ordnance stores from the Alleghany arsenal, and I have every reason to hope, from the promptness and energy of Captain N. and Major Clark, that you will be supplied from the Baton Rouge arsenal earlier, perhaps, than the limited force at my control would allow, even admitting I had the munitions which you want in store at this arsenal.

The Governors of Alabama and Florida have completely exhausted my stock of arms and ammunition. They each had unlimited authority from the Secretary of War to call for whatever they wanted, and I was directed to issue accordingly. Governor Clay has drawn from this depot the following ordnance and ordnance stores, to wit:

- 4 6-pounders, complete.
- 6,800 muskets, do.
- 175,000 buck-shot and ball cartridges.
- 307 6-pounder canister.
- 105 6-pounder strapped shot.
- 9,700 flints.
- 1,492 sets of infantry accoutrements.
- 50 yards of slow-match.
- 1,000 priming tubes.
- 133 portfires.

Of the above, 6,000 muskets, the four pieces of ordnance, and a due proportion of other stores, were shipped to Montgomery, and the balance were ordered to Claiborne, for the troops called out by the Governor, and to be rendezvoused at Irwinton, Barbour county, in this State.

I am at this moment engaged in preparing ammunition, and shipping it to Montgomery, which I shall continue to do until the close of the campaign.

I have the honor to be, sir, very respectfully, your obedient servant,
E. HARDING, *Capt. Ordnance.*

Major General SCOTT, *U. S. Army.*

No. 180.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 3, 1836.

SIR: Of the large amount of stores which must now be high up the Ockmulgee, and which you are to cause to be wagoned to this place

either from Hawkinsville or Macon, as you may find most advantageous to the United States, I wish you to load up the first division of wagons, say sixty or one hundred, with hard bread, bacon, Hall's patent rifles, fixed ammunition for muskets, (if any,) muskets, accoutrements, flints, and a portion of tents. If you are stinted for room in the wagons, it may be sufficient if 15,000 rations arrive here by the 10th or 12th instant; 30,000 by the 15th or 16th, and the remainder towards the 20th or 25th instant.

It is hoped that some ordnance and ordnance stores may come up the Ockmulgee from Charleston; if 20, send one howitzer and one six-pounder without delay, and one hundred and fifty rounds of fixed ammunition for each, together with all their implements. Of the ammunition, I prefer that the greater part should consist of grape and canister.

For each piece of ordnance you will purchase four good horses, and harness for the same, unless harness should come with the pieces; you will also purchase a strong close ammunition wagon for each piece of ordnance. Should those operations be made at Macon, you will turn over to the first detachment of United States troops that passes that place the pieces and their wagons; otherwise you will hire drivers and despatch them to Columbus. I have sent an order to Lieutenant Dimmock, at Augusta, to send no more provisions from that place to the Chattahoochie, except for troops on the march.

I received your letter of the 28th ultimo, which I approve. Mr. Hutchinson left here this morning.

Show this letter to any regular officer that you may see, and particularly to Major Mackay and Lieutenant Waite, United States quartermasters.

Respectfully, your obedient servant,

WINFIELD SCOTT.

JOSEPH A. BEARD,
U. S. Agent.

P. S. Should Lieutenant Heintzelman arrive in any short time at Hawkinsville or Macon, turn over this letter of instructions to him, and proceed immediately yourself to headquarters.

W. S.

No. 181.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, June 2, 1836.

SIR: I am directed by Major General Scott to say that the supplies of provisions, &c., may be expected to arrive at this place from the Ockmulgee within ten days, and from New Orleans, by the Chattahoochie, in sixteen or seventeen days. As soon as a sufficient number of men, whether regulars or volunteers, are assembled in this neighborhood, without waiting for those who may still be in the rear, General Scott will occupy several positions on and near the Chattahoochie, below the hostile Indians, and thence move up in conjunction with the troops of Alabama, in a sufficient number of columns to sweep the whole Indian country,

and pressing upon the hostiles till they shall be reduced to unconditional submission.

I have the honor to be, sir, very respectfully, &c.,

E. KIRBY.

Paymaster U. S. A.

To Maj. Gen. JOHN IRVINE, of *Alabama.*

No. 182.

ASSISTANT QUARTERMASTER'S OFFICE,

June 2, 1836.

MAJOR: By this day's line of cars, from Charleston, I have received a further quantity of subsistence stores, commissioned through Lieutenant L'Engle. The date of the agent's receipt at Charleston is the 1st June. Mr. L'Engle writes: "These barrels were delivered at the railroad previous to the receipt of your (Lieutenant Dimmock's) letter of the 27th ultimo, therefore could not change their direction." I shall do all I can to hasten this provision on, and only write now to inform the General of my increased stores, without adequate means to transport them.

I am, sir, very truly, your obedient servant,

CHARLES DIMMOCK,

Lieutenant, A. Q. M.

To Major E. KIRBY,

A. A. Adjutant General, Columbus.

No. 183.

ASSISTANT QUARTERMASTER'S OFFICE,

Augusta, June 2, 1836.

MAJOR: Will you inform the General that I have now on the road 42 wagon-loads of provisions, in one of which are his articles. I find it exceedingly difficult to obtain wagons, and the same extortion practised here as at Savannah. Captain Monroe left here this morning with his company and two baggage wagons. Captain Lyon leaves to-morrow morning, with four companies, one 6-pounder, one ammunition wagon, and seven baggage-wagons, the number required by him. I have furnished funds to each of these detachments, as required. I shall charter a steamboat, the moment one arrives, to take a load of provisions from this to Darien, thence up the river. I must do this, or I shall never get all the stores to you in less than six months. I have now ready for the troops coming about 20 or 25 wagons, all I can get, and therefore cannot send any more off till these troops are on the route from here. General Fenwick, with his adjutant, is here. Lieutenant Waite is waiting orders, I hope to relieve me, for Mr. Mackay writes me he is already mired in papers. Lieutenant Simpson awaits here the sending off the boat of subsistence stores. With the wagons above enumerated are 12 bought by me for the United States; the horses attached

to which are branded U. S. I will from time to time inform you how I am progressing. I doubt not, however, but I shall be relieved and sent to Savannah to settle business there, and then go North for a while.

I am, Major, your obedient servant,

CHARLES DIMMOCK,

Lieutenant, A. Q. M.

To Major E. KIRBY,

A. A. Adjutant General, Columbus.

Note.—General Fenwick desires me to say he has written to General Scott for orders, and awaits them daily.

No. 184.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, June 3, 1836.

SIR: I am directed by Major General Scott to say that you will not forward any more subsistence from Augusta to this place. It will be sufficient for the troops on the march to leave Augusta with twenty days' rations.

The state of the roads, and the difficulty of procuring transportation, forbid the bringing of large supplies over the long land route from Augusta.

The country about here is not yet exhausted, and abundant supplies can be procured at much less expense from New Orleans. Besides, the 100,000 rations ordered by the Ockmulgee will begin to arrive in seven days.

You will therefore report to General Eustis, commanding in Florida, at St. Augustine, the surplus provisions which shall remain in depot at Augusta, after supplying the troops on the march, and inquire whether they will be wanted in Florida; in which case you will forward them to his order.

Very respectfully, &c.,

E. KIRBY,

Paymaster, A. A. A. G.

Lieut. C. DIMMOCK,

Assist. Quartermaster, Augusta.

No. 185.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, May 31, 1836.

ORDERS No. 1.

Major General Scott, in conformity with the orders of the President of the United States, assumes the direction of the war against the hostile Creek Indians.

His staff not being yet organized, the names of the individuals who

will compose it will be announced in subsequent orders. In the mean time, Major E. Kirby, Captains Page and Parrott, all of the army, will act in the several capacities of assistant adjutants general, assistant inspectors general, and aids-de-camp. Any orders which either of them may communicate, in writing or orally, in the name of the Commanding General, will be obeyed as if given under his own signature or in person.

Those officers will proceed, without delay, to organize and to muster into the service of the United States the Georgia volunteers and draughted men who have arrived, and who are daily expected on this frontier. The volunteers will be accepted, according to their wishes, for a period of not less than three nor more than six months, unless sooner discharged. The draughted companies will be accepted as above, for the period of three months.

WINFIELD SCOTT.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 5, 1836.

ORDERS No. 2.

The detachment of recruits just arrived under Lieutenant Freeman, 4th artillery, will march to Fort Mitchell; seventeen of the recruits, as designated by the Adjutant General, will join company I, 2d artillery.

The recruits destined for company F, 4th infantry, at Camp Cass, will be temporarily attached to company C, 4th infantry, at Fort Mitchell, and be mustered as a detachment.

Lieutenant Freeman will report himself for duty till further orders to the officer commanding company I, 2d artillery, at Fort Mitchell.

By order of Major General Scott:

E. KIRBY,
Paymaster, A. A. A. General.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 7, 1836.

ORDERS No. 3.

Major John Erving, of the army, having arrived, will relieve Major E. Kirby from the duty of mustering into the service of the United States the troops as they successively arrive on this frontier.

WINFIELD SCOTT.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 8, 1836.

ORDERS No. 4.

Lieutenant J. W. McCrabb, assistant commissary of subsistence, will temporarily take charge of the subsistence department of the army.

He will establish a system of accountability in the issues, and make

such purchases as may be necessary for the subsistence of the army till the arrival of the supplies daily expected from the Ockmulgee, from New Orleans, and from Augusta.

By order of Major General Scott :

E. KIRBY,
Paymaster, A. A. A. General.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 8, 1836.

ORDERS No. 5.

The Commanding General is happy to announce to the troops that a supply of genuine vaccine matter has been received from the Surgeon General of the army at Washington. It is in the hands of Assistant Surgeon Randall, of the United States army, now at this place, who will be ready to distribute the matter among the surgeons of the volunteer corps, or personally to vaccinate any such corps as may require his services.

By order of Major General Scott :

E. KIRBY,
Paymaster, A. A. A. General.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 9, 1836.

ORDERS No. 6.

Assistant Quartermaster C. A. Waite, of the United States army, having reported himself, will take charge of the quartermaster's department of the army till the arrival of a senior quartermaster. He will establish a system of accountability in that department, and give the necessary instructions to the subordinate quartermasters for carrying the same into effect.

By order of Major General Scott :

E. KIRBY,
Paymaster, A. A. A. General.

No. 186.

HAWKINSVILLE, *June 5, 1836.*

SIR : On my arrival at this town on the 2d instant, I proceeded to act according to your letter of instructions. I find myself surrounded with difficulties I did not anticipate in the first place. Not the first article of the stores or provisions are yet arrived, and I am fearful several days will elapse before I shall receive them. This delay has been occasioned by the circumstance of the two steamboats at this end of the Ockmulgee being dismantled in part for the season. On my arrival, application

was made through the agent for one at least to be despatched with all possible speed to assist the pole boats up the river, and accordingly the *Crockett* steamboat was sent down forthwith, but unfortunately bursted her boiler forty miles below this town. In the mean time I have engaged another boat, (the *Darien*,) not belonging to the company's line, to proceed to Darien for a cargo of bacon, hard bread, Hall's rifles, and quartermaster's stores; have advised Lieutenant Heintzelman to have the boat loaded and forwarded with all possible despatch, and hope he has now quitted Darien for this place.

In the interim I have employed several persons in the adjacent counties, for the purpose of procuring wagons; have also visited the surrounding country myself, for the same purpose. I find nearly the whole force of the farmer engaged on their farms at this season, consequently have considerable difficulty in procuring the quantity I shall require. If, on arrival of the stores, I find the Ockmulgee navigable to Macon, I intend forwarding a portion of the stores to that place.

The two first trains of wagons that may arrive at headquarters, I would suggest be immediately forwarded to this place. Should you think it necessary, I would also suggest the propriety of my remaining at this town until I have started at least a portion of the stores for the army, as I understand Lieutenant Heintzelman is in bad health, and it will require great exertions to procure sufficient transportation in time. Rest satisfied, General, my whole exertions shall be used for the public good, and to forward your wishes and commands.

I have the honor to be, with respect, your obedient servant,

JOSEPH A. BEARD,
*Agent to the Quartermaster and Commissary
Departments, U. S.*

Major General WINFIELD SCOTT.

No. 187.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, June 7, 1836.

SIR: I am directed by Major General Scott to say that he is anxious to hear from you, and know what progress you have made in the duties assigned to you.

You will please keep the General advised of your operations in detail. State what supplies have been received either at Hawkinsville or Macon—what have been forwarded.

You will purchase eight or ten horses fit for the saddle, (not high priced,) and forward them to this place.

Very respectfully, your obedient servant,

E. KIRBY,
Paymaster, A. A. Adj. General.

JOSEPH A. BEARD,
*Agent of the Quartermaster and Commissary Dep'ts.
Hawkinsville or Macon.*

No. 188.

DARIEN, GA.,

[Should be dated from Hawkinsville.]

June 8, 1836.

SIR: I have the honor to report my arrival here from Darien, Georgia, having there made all the necessary arrangements for the forwarding of supplies to this place.

I enclose a list of subsistence and ordnance stores received by me at Darien, Georgia, before I left. Three boats were loaded, including all the arms, accoutrements, camp and garrison equipage, and some of the provisions. The first boats are expected here to-morrow. Mr. Beard, agent for the quartermaster and subsistence departments, is here, engaging wagons for their transportation.

I have the honor to be, sir, very respectfully, your obedient servant,

S. P. HEINTZELMAN,

Lieutenant, acting Ass't Quartermaster.

Major E. KIRBY,

*Paymaster, acting Assistant Adjutant General,
Army of the South.*

List of articles of subsistence, ordnance stores, &c., received at Darien before the 4th June, 1836, to be forwarded to Hawkinsville, Georgia.

- 270 barrels of pork.
- 464 barrels of flour.
- 417 barrels of hard bread.
- 29 barrels of vinegar.
- 16 boxes of candles.
- 24 boxes of soap.
- 97 boxes of bacon.
- 54 barrels of beans.
- 10 barrels of salt.
- 2 barrels of sugar.
- 10 barrels of coffee.
- 6984 tent pins.
- 75 sets wall tent poles.
- 343 sets common tent poles.
- 315 common tents.
- 72 wall tents.
- 65 tent flies.
- 1 hospital tent.
- 517 camp kettles.
- 1500 complete sets infantry accoutrements, including brushes, pricks, and plates.
- 500 Hall's rifles, complete.
- 500 Hall's rifle accoutrements.

S. P. HEINTZELMAN,

Lieutenant and acting Assistant Quartermaster.

HAWKINSVILLE, GA., June 8, 1836.

No. 189.

TUSKEGEE, June 8, 1836.

GENERAL: I have detained the escort until this morning, in consequence of the danger of exposing so small a force beyond supporting distance from this post, but the captains are both anxious to return, and I have consented to permit them to proceed by a route which I am assured will be perfectly safe; they have fine companies, and should they meet an enemy on any thing like equal terms, I am sure they will give a good account of him. I have not yet obtained the command of the troops, but if I obtain it at all, I shall probably enter on duty to-morrow.

I wish a small regular force as soon as possible. If I had only two or three companies I should feel myself able to commence the removal of the Indians at once.

The hostile Indians are committing the most cruel and distressing outrages on the inhabitants a few miles below. A movement in that direction will be necessary, as well to cover the settlements as to hold Neamico in check, who is decidedly hostile, and to obtain forage, which cannot be had here.

I desire that Captain Page, Dr. Randall, and the other officers connected with the Indian service, be sent to me as soon as they can be spared. Their services would be important to me at this time, and will every day become more so.

I learn from the Governor that General Moore will arrive at Irwinton about the 10th instant, but it is doubtful, I think, whether he can protect the entire line confided to him.

If a movement be determined on, I will send you information of it by a runner.

I request that Dr. Waite be directed to join me as soon as possible, and I would be glad to be informed at what point provisions and forage can be obtained on the Chattahoochie, either below or above Irwinton.

I am, General, most respectfully, your obedient servant,

TH. S. JESUP, *Major General.*

To Maj. Gen. W. SCOTT,

*Commanding the Southern Army,
Columbus, Georgia.*

P. S. Neah-Mathla is certainly sick, and his next chief was disabled in the skirmish the day I left Columbus, or perhaps the evening before.

T. S. J.

No. 190.

HEADQUARTERS, 2D ARMY CORPS OF THE SOUTHERN ARMY,

Tuskegee, June 10, 1836.

SIR: I have here about 900 volunteers and militia of Alabama, and about 200 friendly Indian warriors. I shall move to-morrow or next day, at farthest, against the hostile Indians. I expect to be joined on my route by five hundred mounted men, under Brigadier General Moore,

and by two hundred Indian warriors, and I hope to strike the enemy in less than five days.

Captain Parrott and Lieutenant Lane are my aids-de-camp, and I respectfully ask for them the extra pay and emoluments of aids; with that addition to their compensation they will find it extremely difficult in this country, at this time, to keep their expenses within their income. The aids of Major General Patterson, who is serving under my orders, are entitled to the full pay and emoluments of majors, and my aids should, in common justice, be placed upon a footing of equality with them, at least, in compensation.

I further respectfully ask that the first vacancy in the quartermaster's department be filled by Lieutenant Chambers.

I have the honor to be, sir, respectfully, your obedient servant,
TH. S. JESUP, Major General.

The Hon. **LEWIS CASS,**
Secretary of War, Washington city.

No. 191.

HEADQUARTERS, 2D ARMY CORPS, SOUTHERN ARMY,

Tuskegee, June 11, 1836.

SIR: I expected to have moved to-day, but have been delayed in consequence of a heavy rain, and of the Indian warriors not being in readiness. I shall move forward to-morrow, however, and occupy a position on the Fort Mitchell road, about twenty-eight miles in advance, and there wait the arrival of the Indian warriors under Opotheohola, or if I can find the enemy without Indian guides, attack him immediately. The country is almost without supplies, and none of those ordered before I left Washington have arrived. Cartridge-boxes and flints, particularly, are wanted, but that shall not check my movement. The horses must be put on half rations, and the deficiency supplied from the cane swamps. I held a council yesterday with several Indian chiefs, and required them to disarm a party from the hostile camp; thirty-four were disarmed and five escaped. I think it would have a good effect to pay the whole annuity to those who take an active part with us, and I most earnestly recommend the measure, as well on the score of justice as policy. The communication with Columbus is in the hands of the enemy, and I have no means of communicating directly with General Scott. This circumstance inclines me to strike a blow at once, though there is some hazard in it. General Scott, when I parted with him, expected to be ready to move by the 15th; if he should commence operations on that day, he will be within thirty or forty miles of me, and may prevent a junction between the hostile chiefs, and enable me to strike them in succession.

A corps of artificers and laborers is necessary to the efficiency of the quartermaster's department. Southern militia and volunteers cannot be induced to labor. Such a corps, if authorized, should be employed entirely in the Southern States.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,
Major General, commanding 2d Army Corps.

The Hon. **LEWIS CASS,**
Secretary of War, Washington city.

No. 192.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 10, 1836.

SIR: Major General Scott is filled with extreme anxiety at the delay of the supplies ascending the Ockmulgee. Many articles expected by that route are of indispensable importance. Hall's rifles, the musket-accountrements, and the tents, are needed to complete the equipment of the troops already assembled, a portion of whom are without arms or shelter. The subsistence and other stores are also greatly wanted. The troops cannot take the field till some portion of these supplies shall arrive.

The General relies upon your zeal and activity in using every possible means for hastening forward these articles. Spare neither pains nor expense by sending agents below to hasten them up the river, and in pushing them forward when they shall come into your hands, and keep the General constantly advised of every circumstance calculated either to advance or retard them.

The General thinks you will be able to procure in the country around Hawkinsville and Macon a sufficient number of wagons for the transportation of these supplies from the Ockmulgee to this place. If you should find this impracticable, advise the General.

Very respectfully, your obedient servant,

E. KIRBY,

Paymaster, A. A. A. G.

J. A. BEARD, Esq.,

*Agent of Qr. Mr. and Subst. Depts.,**Macon or Hawkinsville.*

No. 193.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 10, 1836.

SIR: I was happy to learn that you arrived safely at Tuskegee. The escort has not yet been able to return. We shall be much delayed in taking the field on this side by the non-arrival of our most essential supplies—rifles, muskets, musket-accountrements, ammunition, &c. I had expected these, with subsistence stores, to begin to arrive here from the Ockmulgee by the 7th instant, but here is a letter from the agent, Mr. Beard, dated at Hawkinsville the 5th, in which he reports that nothing had reached the place. He immediately despatched a boat to Darien to make inquiries, to hasten, &c. We have now on the Chattahoochie about 2,000 Georgians, most of them remarkably fine men; of the whole number, however, not a third have sufficient arms, and a still smaller number good accoutrements; it will, therefore, be impossible to arm and equip the remaining two-thirds without the muskets, the Hall's rifles, and musket-accountrements, expected by the Ockmulgee. From the foregoing it will be seen that it is impossible for the Georgians to commence operations from the neighborhood of Irwinton, say in eight or ten days, nor even then

unless the arms and accoutrements should have arrived. I have not had a line from his excellency Governor Clay. The regulars are advancing handsomely from Augusta. I think all but a small detachment of marines had reached that place at the last dates. Brigadier General Fenwick is very anxious (I learn) that the regulars should be held together as a brigade under his command. Major Mackay has been excused from this campaign, and nobody substituted in his place. Lieutenant Waite arrived yesterday. I have been obliged to place him on duty here.

I remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

Maj. Gen. T. S. JESUP,
U. S. Army, commanding, &c.

We have more than doubled the force placed in the lower counties of Georgia, to prevent the Creeks from escaping to the Seminoles.

W. S.

No. 194.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 12, 1836.

SIR: I wrote to you on the 2d instant, with a burning fever on me, which had then continued more than two days. I have since been quite sick, and have passed through a course of medicine, that has fully removed the cause of disease, but left me rather feeble. I have, however, already recovered much strength in the last forty hours, and to-morrow expect to be on horseback. My cure has been so systematic that a relapse is deemed impossible.

During my confinement there was but little of importance to do, and the Governor very promptly and ably supplied my place.

We have on this frontier about 3,300 Georgia volunteers and draughts; the former contain a large portion of the chivalry, intelligence, and property, of the State. Of this force, we have not as yet been able to arm more than a third. Muskets in sufficient numbers are approaching, but no accoutrements, except the 1,800 that I ordered from St. Augustine and Picolata. Without these, which I expect from the Ockmulgee in six days, it would have been utterly impossible to have equipped the Georgians for the field; for there were no accoutrements in any of the Southern arsenals.

In six or eight days, then, I hope to be able to arm and equip the whole of the Georgia forces; and as a respectable number of the regular troops may be expected here by that time, I shall lose not a moment in commencing active operations.

Major General Jesup has joined the Alabamians at Tuskegee. I have letters from him of the 5th, 6th, and 8th instant. Although he does not state the fact, it seems that he met Governor Clay at Line creek, twenty-five miles west of Tuskegee, and thence returned to the latter place, preceding the Governor by a few miles. Something unpleasant must have occurred at the interview. In his letter of the 8th, General Jesup only says: "I have not yet obtained the command of the troops, but if I obtain it at all, I shall probably enter on duty to-morrow."

Some of the very intelligent Georgians who accompanied General Jesup as an escort, say that the Alabamians do not wish to come into the service of the United States; that the Governor, Major General Patterson, and Adjutant and Inspector General Hogan, are all opposed to the change, &c. It is singular that General Jesup has not been more explicit in his communications with me on these points. In fact, but for the escort that has returned, I should not have known that he had seen the Governor at all.

The same letters represent the Alabamians to be well armed with muskets, but to be without accoutrements, without cartridges, and without flints. The deficiency in flints and ammunition I shall be able to supply on the arrival of our stores by the Ockmulgee, say in six and eight days.

The Governor and myself, in proportion as we have been able to obtain *armed* men, have sent off detachments to guard the left bank of this river. Some of these detachments have been pushed below the country occupied by the Creeks on the opposite bank. Several of the middle detachments have, within eight or ten days, been surprised by small parties of the enemy, coming over for marauding purposes, and in each case the advantage has been against us. To keep up a communication all along the river, to check and to destroy the enemy, we now have constantly cruising two steamers, both of which are well manned, but only one armed with a six-pounder. We had no other piece of artillery.

I am sorry to say, for the information of the Secretary, that no volunteer force can be sent from this quarter, either before or after the Creek war, to aid the operations against the Seminoles in Florida. All the Georgians, as Governor Schley informs me, who are now in the field, were expressly called for to put down the Creeks. Many of the companies which first presented themselves for muster, made it a point that they should be so, and not otherwise employed. This the Governor fully assented to in his speeches on the several occasions. The Alabamians, too, I am confident, if they have conversed with the members of Colonel Chisolm's regiment, lately from Florida, will be equally repugnant to a campaign in that country at this season of the year. I passed that regiment on the 20th of April, at the Big Withlacoochee, when all its energies appeared to be entirely prostrated by the heat of the weather.

I enclose a copy of a letter addressed to Lieutenant Colonel Foster, written on a request from Governor Call.

When I ordered the 100,000 rations from Savannah, *via* Darien, Hawkinsville, &c., to this place, I knew that no supplies of that sort could be wanted in Florida in four or five weeks, and I immediately caused notice to be given of the measure. At the time I gave the order, I knew that the Altamaha and Ockmulgee rivers were becoming daily lower and lower, and that a sufficient number of wagons could not be found in the country to haul from Augusta to Columbus the immense supplies that would be wanted in this war. No time was, therefore, to be lost, and the rations were ordered by water to a point only ninety miles from this place. It is true that very heavy and unexpected showers of rain followed for the next ten days, which have kept the rivers up and spoiled the roads.

Beyond those 100,000 rations, provided we receive the supplies de-

manded from New Orleans, not another pound of subsistence is wanted from the North and East.

In haste, I have the honor to be your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 195.

AUGUSTA ARSENAL, GEORGIA,

June 11, 1836.

SIR : I have the honor to report that the following ordnance and ordnance stores have been received at this arsenal from the Charleston depot, and respectfully request to be informed whether the stores are to remain here or to be forwarded on to the ordnance officer at Columbus, Georgia, viz :

500 Hall's rifles (brown) complete.
 500 flasks and belts.
 500 Hall's rifles (bright) complete.
 500 sets rifle-accessories.
 1000 screw-drivers.
 1000 wipers.
 100 spring vices.
 100 bullet moulds.
 200 pounds rifle powder.
 2500 infantry cartridge-boxes.
 2500 do. do. belts.
 2500 bayonet scabbards.
 2500 do. do. belts.
 2500 bayonet scabbard plates.
 2500 gun slings.
 2039 brushes and picks.

Very respectfully, I am, sir, your obedient servant,

N. BADEN,

Major United States Army.

Major E. KIRBY, Aid-de-camp.

No. 196.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, June 14, 1836.

SIR : Your letter of the 11th instant, containing a list of certain ordnance stores received by you at Augusta arsenal, has been submitted to Major General Scott. The General directs that you forward to this place, without delay, the following articles embraced in that list, viz :

500 Hall's rifles (brown) complete.
 500 flasks and belts.

500 screw-drivers.
 500 wipers.
 50 spring vices.
 50 bullet moulds.
 200 pounds rifle powder.
 1000 infantry cartridge-boxes.
 1000 do. do. belts.
 1000 bayonet scabbards.
 1000 do. do. belts.
 1000 do. do. plates.
 1000 gun slings.
 1000 brushes and picks.

The General desires to have these articles disposed in light loads, say not to exceed two-thirds of the ordinary loads, and despatched without any delay to this place. They are immediately and urgently wanted here.

Very respectfully, your obedient servant,

E. KIRBY,
Paymaster, A. A. A. General.

Major N. BADEN, U. S. A.,
Commanding Augusta Arsenal.

No. 197.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, June 11, 1836.

SIR : You will proceed forthwith to Hawkinsville, hiring such relays of horses upon the road as to proceed expeditiously.

On your arrival, ascertain from Lieutenant Heintzelman, of the army, or Major J. C. Beard, agent of the United States for forwarding supplies, &c., whether any of Hall's patent rifles and accoutrements have been received at that place with other public stores from below. If they have arrived, you will direct, by the authority of Major General Scott, the officer having charge of them to forward those articles to this place with all despatch. Should these rifles and accoutrements have been turned over to General Wilcox, of the Georgia militia, or any other officer, you will recover possession of them, even should it be necessary to pursue them beyond Hawkinsville. These arms are wanted immediately and urgently at this place, to supply the unarmed troops assembled here.

You will also direct that the muskets and musket-accoutrements, and ammunition, which have arrived or may arrive at Hawkinsville, be forwarded to this place without any delay. Next to these the tents and camp equipage will be forwarded.

Major Beard will turn over the instructions which he received from Major General Scott to Lieutenant Heintzelman, for whose guidance they are intended ; and after completing the duties assigned him by the General, in that quarter, will proceed to this place.

You will show this order to Major Beard and Lieutenant Heintzelman, and to General Wilcox, should he have received the arms, who will

respectively be governed by it in the premises. Having completed this duty, you will return to this place and report your doings.

By order of Major General Scott :

E. KIRBY,

Paymaster, acting A. A. General.

Lieutenant ED. DEAS, *United States Army.*

No. 198.

HAWKINSVILLE, GEORGIA, *June 12, 1836.*

SIR : I have the honor to inform you that the steamboat Comet arrived at this place yesterday, with two boats in tow, containing supplies for the army.

I have just finished loading ten teams, which will leave this early to-morrow for Columbus, crossing the Flint at Traveller's Rest. Enclosed herewith you will receive a list of the supplies sent by them.

General Wilcox, just from headquarters, and on his way to organize a force a little south of this, has called on me for arms for 200 men, and also for a company of mounted men under his command, being sixty more, making 260 in all.

Having no special instructions, and from the necessity of the case, I have promised to supply him with the arms, and also with provisions, agreeably to your order to Major Beard.

Major Beard left here a few days ago for Macon, to procure wagons to forward the supplies, on board one boat expected here to-morrow, by the steamboat Crockett, as it is impossible to get a sufficient number of wagons in this neighborhood. He will return to this place in a few days.

Six wagons arrived this evening from Warrenton, and to-morrow we expect five or six more ; so I hope to be able by next day to start another train of ten. It will be loaded entirely with provisions.

I have retained the tents, as I supposed the arms, accoutrements, and provisions, were more needed. With the tents are poles and pins ; the latter are very heavy, and scarcely worth the transportation at the present time, with the limited means of transport to be obtained. Would it not be better to retain the pins here ?

I have not been furnished with any funds.

I have the honor to be, sir, very respectfully, your obedient servant,

S. P. HEINTZELMAN,

Lieutenant, and acting Assistant Quartermaster.

Major E. KIRBY, *Paymaster, and*

Acting Assistant Adjutant General, Columbus, Georgia.

No. 199.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 14, 1836.

SIR : We are still held in a state of inactivity, from the non-arrival of arms, ammunition, &c. These essential supplies we have reason to hope

will be here in sufficient numbers and quantities in a few days, from Augusta, and first from Hawkinsville, on the Ockmulgee, to which point shipments, *via* Darien, were made by my orders, from Florida, Savannah, and Charleston. Nearly all the Georgians ordered out by the Governor, a little more than 3,000, are already on the frontier; but, as I have before reported, by far the greater number of the companies have come without arms and accoutrements. As fast as the mounted companies can be armed, I shall send them down the country, on the Georgia side, at least as low as Irwinton, whence I shall commence operations. With the aid of the flats which I have caused to be constructed, it will be easy, at the proper time, to pass those troops over to the Alabama side, and the foot, regular and volunteer, not wanted to guard the river above and below this place, I shall send to the same rendezvous in steamboats. The first company of regulars (Monroe's) arrived yesterday, and a detachment of four or six, under Major Lomax, may be expected the day after to-morrow. Other detachments will follow at intervals of a day or two, and the whole, including marines, may be expected in a week. I have not, however, all-important as I deem those regulars, been waiting for them. The volunteers cannot march without arms, accoutrements, and ammunition.

Subsistence in abundance will also arrive from the Ockmulgee, with the arms, accoutrements, &c.

It is extremely doubtful, judging from circumstances, whether the Governor of Alabama will place his forces under the authority of the United States. He was on the 8th instant at Tuskegee, only forty-odd miles from this place, and may be presumed to be still there. Yet he has not condescended to notice my letters to him of the 31st ultimo, nor that of Governor Schley of the same date, and to the same effect. The latter neglect, which I have no right to comment upon, is more extraordinary than the former. Nor can I hear any thing explicit from Major General Jesup. His letter of the 8th instant to me, written after he met the Governor at Lime creek, beyond Tuskegee, and after they had both travelled from the former to the latter place, is absolutely dark and mysterious. I gave a quotation from this letter in mine of the 12th. I have not had a line from him since, although, as yet, friendly Indian runners have had no difficulty in passing and repassing. One of these runners I sent to him a few days since, and who may be expected back to night. By his return, the mystery that hangs over the intentions and purposes of the Governor of Alabama may be removed. I know, from many sources, that his forces are not prepared to take the field with effect. They at least want ammunition and flints. I also unofficially learn, that Brigadier General Moore, of that State, has arrived at Irwinton, with a reinforcement of 750 mounted men, and that he thinks of commencing operations forthwith. I shall write to him to-day, to say that I have the direction of the war, and request that he may wait till my arrival in that quarter.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 200.

HEADQUARTERS, ARMY OF THE SOUTH,

ORDERS No. 8.

Columbus, Georgia, June 16, 1836.

All the troops of the Georgia line will hold themselves in readiness to take the field the moment the arms and ammunition, now daily expected, shall arrive.

As an indispensable preparation, every mounted officer, of every rank, and every mounted man, will immediately provide himself with a wallet capable of carrying three days' supply of corn for his horse. Commanding officers will see that this preparation be made at once.

Haversacks are provided for all the volunteers and draughted men, whether mounted or on foot. To obtain them, requisitions will be made on the United States quartermaster at this place. Each man will be careful to mark his wallet and haversack with his name, as soon as they come into his hands.

The baggage of officers and companies, at the commencement of the first march, must be reduced to the smallest amount. All heavy and superfluous articles will be left behind. Troops to pursue an enemy with success must move lightly; no company, therefore, can be allowed to take into the enemy's country more than four tents for officers and men. Commanders of every rank will look strictly to the due execution of this order, or the army will be rendered utterly incapable of active movements, by the overwhelming weight of its baggage-train.

Light camp-kettles and mess-pans have been provided for the troops. Cast-iron ovens, skillets, and the like, are too heavy to be allowed to go into the wagons, which are principally to be loaded with ammunition and subsistence for men.

WINFIELD SCOTT.

No. 201.*KNOXVILLE, June 16, 1836.*

SIR: Agreeably to order, I to-day met the wagons conveying the guns and ammunition to Columbus, between this place. I found it much more difficult to procure wagons as lighters than I had anticipated. I, however, succeeded in procuring two or three, which will take in their loading to-morrow, and hasten on to Columbus. Unless some *very serious* accident happens, they will all be in Columbus by the night of the 19th instant. The wagons seem to move at this time with some spirit.

Yours, truly,

JNO. CROWELL, JR.

Maj. Gen. W. SCOTT,

U. S. A., Headquarters, Columbus, Georgia.

No. 202.*MACON, June 16, 1836.*

SIR: I have the honor to inform you twenty-one wagons and one howitzer was forwarded to headquarters yesterday and this morning from Haw-

kinsville. An invoice of contents of the wagons will be handed you by the wagon-masters in charge. A great portion of the musket-accountrements you require, and the whole of Hall's rifles, are with these trains. We find no ammunition on either boats or invoices.

The subsistence stores forwarded consist principally of bacon, bread, and flour; also tents, ball, and cannon, in proportion, taken out of tierces to lessen transportation, also camp-kettles.

According to your instructions, I purchased horses for the howitzer, and have likewise purchased seven wagons and teams.

Lieutenant Heintzelman receipted to me for those articles. After making my arrangements in Hawkinsville, for the furthering of your orders, I handed your instructions to Lieutenant H., and left him in charge, and left for this city in the night, and arrived to-day, noon, in time to start thirteen wagons laden with subsistence and other stores, viz :

- 22 bbls. of prime beef, (purchased here.)
- 139 boxes, (contents not known,) a portion of hospital stores.
- 4 bbl. barley.
- 23 bbls. pork.
- 60 bbls. flour.
- 16 bbls. beans.
- 12 bbls. hard bread.

The Darien steamboat arrived at Hawkinsville yesterday evening. I ordered her to this place to discharge her cargo. She is under charge of Lieutenant Simpson, A. C. S. I expect her here this night.

I shall proceed to forward her freight immediately, and, after arranging this business to my satisfaction, shall proceed forthwith to headquarters.

My funds are expended. I enclose a hasty statement of my disbursements, and shall draw again on your paymaster for two thousand dollars to meet casualties, previous to my arrival at headquarters.

The difficulties I have had to surmount have been far greater than I anticipated. I have been ably assisted in Hawkinsville by Lieutenant Heintzelman. I have not taken rest the last four nights, and find myself quite sick, but hope to rise to-morrow with renewed energies.

I wrote Lieutenant Dimmock respecting the fixed ammunition you so much require, and suggested to him to have some forwarded forthwith—viz : canister and grape—*by omnibus or stage*. I find, on looking over the invoices received, no mention made of any ammunition having been shipped.

No six-pounder yet arrived. I found a gun-carriage on board of the Darien, which I ordered on shore at Hawkinsville.

Captain Seymour, of the Macon volunteers, desires me to offer his respects to you, and kindly wishes for your success in the approaching campaign. I think it probable he will accompany me to your headquarters to offer his respects in person.

I would suggest three trains, at least, be sent (on their arrival) back to Hawkinsville.

The marines are in this neighborhood—will pass through in the morning.

I have the honor to be, General, with respect, your obedient servant,
JOSEPH A. BEARD, *Agent to U. S. Army.*

To Maj. Gen. W. SCOTT,
*Commander-in-chief of the army of the South,
Headquarters, Columbus.*

No. 203.

HEADQUARTERS ARMY OF THE SOUTH,

Columbus, Georgia, June 17, 1836.

SIR: I enclose a copy of my letter to Major General Jesup, dated yesterday; and also a copy of my Order No. 8. These papers will show our present condition and prospects. The troops here are becoming impatient to move, and so am I; but I must avoid all premature and false movements. Arms and ammunition are indispensable, and so are a certain number of days' subsistence. All these objects, I think, we shall certainly have in possession by the 21st instant. No time has been lost since the arrival of the arms, &c., at Hawkinsville, on the Okmulgee. The delay occurred with the transportation line between Darien and that point. I caused agents to be stationed at both places, and have reason to believe that they have been active and pushing. As to the arms coming from Augusta, the distance, (220 miles,) and the badness of the roads, rendered worse by the storms of rain at the end of May and the beginning of June, have caused the delay.

Paymaster Kirby leaves me to-day, (*without an experienced staff officer,*) for Florida, according to the reiterated orders of his department. He has been of the greatest use to Governor Schley, in matters of accounts, and to me generally. We both part with him with extreme reluctance. Major Erving has been with me since the 7th, and employed as mustering officer. I had designed him for the office of acting inspector general; but he labors under a disability, which he thinks will prevent his encountering the fatigues of that office. I have not a regular aid-de-camp. Lieutenant Herring, by the last advices, lay dangerously ill at Garey's Ferry, in Florida. I fear that he is no more.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

P. S. Of the officers mentioned in my Order No. 1, for staff duties, Major Kirby has just left me, Captain Page confines himself exclusively to his duties in the *Indian department*, and Captain Parrott accompanied Major General Jesup.

W. S.

Brig. Gen. R. JONES,

Adjutant General U. S. Army.

No. 204.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbia, Georgia, June 16, 1836.

SIR: Since I wrote to you on the 12th, [10th,] I have heard of the arrival at Hawkinsville and Macon of most of the supplies I had ordered *via* Darien. These are now in wagons, and within two, three, and four days of this place. I have also just heard that the muskets ordered from Augusta may be expected here perhaps to-morrow. With these arms,

and the 1,800 accoutrements from Hawkinsville, nearly the whole of the Georgia line may be fitted for the field. At present, of the 2,200 men Major General Sanford has in his camp (on the other side of the river) only about 400 are armed. All the other armed men have been detached below to guard the river, and which, as yet, from the want of men, is but very imperfectly guarded.

After writing to you on the 12th, [10th,] I received your letter of the 8th. This would completely have mystified me, but for the explanations given by some of the Georgia gentlemen who accompanied you from this place. For example, you wrote to me on the 6th that you were just about to set out for Montgomery, and yet I find you back at Tuskegee on the 8th. You do not tell me that you had been absent as far as Line creek, and that you there had met the Governor. You are silent as to any interview you had had with him, either at Line creek or Tuskegee, to which place, I understand from others, he followed you. Some difficulties you undoubtedly experienced in getting the command of the Alabama troops; but what these difficulties were you carefully conceal from me. You content yourself with saying, "I have not yet obtained the command of the troops, *but if I obtain it at all*, I shall probably enter on duty to-morrow." But why you had not at first obtained the command of the troops, and why the doubt whether you would obtain it at all, you again carefully conceal from me.

In a subsequent part of your letter you say, "I learn from the Governor that General Moore will," &c. How did you learn this from the Governor? You do not tell me that you had met him at Line creek, and that, turning back yourself, he had followed you to Tuskegee. It might have been by letter.

Allow me to say that the whole letter is mysterious and enigmatical in the extreme, and that it is not such a communication as you ought to have made me. If the Governor made the difficulties about placing you in the command of the troops, *that* important fact ought not to have been concealed from me; and if he did not, who else interposed difficulties?

You further tell me that, "if a movement be determined on, I will send you information of it by a runner." A movement to be determined on by whom? The Alabama commanders, or these in conjunction with yourself? Either you were placed in command, or you have not been. In the first case, you would certainly determine on no scheme of offensive operations without my previous concurrence and readiness to co-operate; yet, without receiving any runner from you, or communication of any kind, since the 8th instant, a passenger in the stage, by the upper route, just arrived here, reports that you, at the head of about 3,000 Alabamians, and 1,000 friendly Indians, was about to march upon Neomico's band, and to commence offensive operations on a great scale! I have no doubt there is a gross mistake in this report. You may perhaps have been about to make some defensive movement or operation to clear a frontier settlement of a portion of the enemy; but I will not believe that you have declared your independence of my authority.

It is certain that Brigadier General Moore, of Alabama, has commenced a course of offensive operations from Irwinton up the country. From this fact, I have rather inferred that you have not even yet been invested with the command of the Alabamians, or you certainly would have stopped his premature and isolated movement. These doubts and

conjectures, in the absence of all direct intelligence from you, are sufficiently harassing

I mean to be explicit and precise on my part. I desire you instantly to stop all offensive movements (if you are in command) on the part of the Alabamians, until the Georgians are ready to act, say on the 21st instant, when the greater number of them will be armed and ready for the field. By that time, too, there will be on this frontier the greater part of the regulars and marines ordered from the North. On that day, if the movements of General Moore shall not render a modification of my plan necessary, I shall begin to assemble the troops on this side of the nation, somewhere in the neighborhood of Irwinton, and operate up the country. It is my desire that you meet me about that time and place, and that you bring with you any disposable force you conveniently can; or that you hold the whole of the Alabamians in defensive positions on the frontier settlements till I shall bring the war into their neighborhood, when you can come into the general line of operations with me.

No quartermaster has arrived here but Lieutenant Waite. Captain Page says that, under his instructions from the War Department, his presence in this quarter is indispensable. No flints and no ammunition have yet arrived. I have heard of shipments from New Orleans of army supplies; but none have arrived. Subsistence, with arms and accoutrements from Hawkinsville, will begin to come in to-morrow.

I shall cause a large deposite of subsistence to be made at Irwinton, another at Fort Mitchell, and a third at this place. I am inquiring, and may establish a fourth depot at some convenient point between Irwinton and Fort Mitchell.

Six companies of regulars have arrived: five to-day, and Monroe's three days ago. They are sent to guard the Indians, &c., at Fort Mitchell.

I remain, with undiminished confidence, yours, most respectfully,
WINFIELD SCOTT.

Maj. Gen. T. S. JESUP, U. S. A.,
Commanding, &c.

No. 205.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 18, 1836.

SIR: Enclosed herewith you will receive copies of two letters from Major General Jesup to me, and a copy of my reply. His movement and appearance at Fort Mitchell (whither I go this morning) have embarrassed me exceedingly, and if our subsistence, ordered by me from Savannah, *via* Darien and the Ockmulgee, should not begin to arrive to-morrow, or, at the latest, the following day, all the troops must be put on half or third rations.

I hardly know how to get General Jesup's corps in its true position from the false one he has placed himself in. I want him down the country at least as low as Irwinton, and if I send him by land, on the Alabama side, he will invert my plan of campaign, by operating *down* instead of *up* the country. His foot I may be able to send below in steers

boats, and cross his horse to this shore, march it to a point opposite to Irwinton, and thence recross it. But these movements will give me a great deal of trouble and delay. Than to be so embarrassed, I would infinitely have preferred that these Alabamians and Indians had marched five hundred miles in any other direction,

In haste, I remain, with high respect,

WINFIELD SCOTT.

Brig. Gen. JONES,
Adjutant General U. S. Army.

No. 206.

HEADQUARTERS, AT LONG'S, *June 15, 1836.*

GENERAL: I have received your letter of the 10th since I left Tuskegee for Irwinton, or rather for the lower line of the Creek country. I arrived here about five o'clock yesterday. Having been deceived by the mistake of a guide, I passed the Irwinton road nine miles. I am within four miles of Nehomico's camp. He has gone to the neighborhood of Tuskegee to surrender himself. I received and disarmed thirty-five of his people, who had left his camp, professing to be friendly. I have with me twelve companies, seven mounted and five infantry, and expect to be reinforced by two companies to night. I have, also, four hundred Indian warriors, and expect to be reinforced to-morrow by five hundred, under the celebrated chief Opothleyoholo. I find it impossible to obtain either corn or subsistence here, the hostile Indians have destroyed all that they have not taken away.

June 16. I am now at the "Big Spring," within fourteen miles of Fort Mitchell, and shall move on Nehomico's camp to-morrow. A detachment of Indian warriors, from this division, captured Nehomico and his son last evening, and they are now prisoners in my camp.

I wish Captain Page to join me as soon as possible. If he had been with me I could have organized before this time an emigrating party of several hundred. I have to request that provisions and corn be sent to Fort Mitchell. I have only five days' rations, and not a grain of corn. My movement to this point has, I understand by a gentleman who arrived to-day, tranquillized the frontier. A party of two came through to-day.

If I should not obtain supplies at Nehomico's camp, I shall probably be compelled to fall back on Fort Mitchell, or to a position near it. I hope to receive orders from you at that place, to which, if I do not go myself, I shall send wagons for subsistence.

I am, General, most respectfully, your obedient servant,

THS. S. JESUP,

Maj. Gen. commd'g 2d army corps of the Southern Army.

Major General SCOTT,

Commanding the Southern Army, Columbus, Georgia.

No. 207.

JUNE 17, 1836.

GENERAL: I find that we have less than two days' rations, in addition to two days' rations in the hands of the men. Whether successful or not, against the force of Neho Emathla, I shall be compelled to go to Fort Mitchell. Can you give us provisions and corn there? By all means do so. I have an Indian force which will enable you to drive the whole country.

Yours,

TH. S. JESUP.

General Scott, *Columbus*.

No. 208.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 17, 1836.

SIR: I have this moment received your two letters of the 15th and 17th instant.

I am infinitely astonished and distressed to hear of your near approach, and in a starving condition, to Fort Mitchell. You knew that your forces were not wanted there. You knew that no supplies could reach Irwinton, from New Orleans, earlier than the 21st instant, if so soon; and you knew, by my letter of the 10th, that nothing had arrived, as high as Hawkinsville, upon the Ockmulgee, and, consequently, nothing could have reached this place by the present date from that river. I also ought to add, that you knew, when you left here, that the troops, daily increasing, were living from hand to mouth on the precarious supplies of the neighborhood. Under these circumstances, imagine my astonishment to learn that, instead of marching the disposable force of Alabama upon Irwinton, with subsistence for at least ten or five days in advance, to hear that you had come through the heart of the Indian country, seeking private adventures, which, if successful, could hardly have advanced the war, and against my known plan of operations, to Fort Mitchell, forty-five miles out of position! It is precisely General Gaines's movement upon Fort King, where there was no subsistence; and there is none, as you ought to have known, at Fort Mitchell. My grief and distress are at their utmost height. This strange movement you have made, without giving me the slightest notice. You had not informed me, you do not even now tell me, that you are in command of the Alabamians; and your last letter, of the 8th instant, stated that it was doubtful whether you would ever be invested with that command. All this is infinitely strange, and was the last thing in the world that was to be expected from you.

Well, to prevent starvation, I have called for the quartermaster and commissary, and demanded of them what rations and forage they could supply. Lieutenant Waite, the quartermaster, has, with great difficulty, provided some corn for my movement at the head of the Georgians, on the 21st or 22d; and Lieutenant McCrabb has just nearly exhausted the market to obtain two or three days's rations for the troops already at Fort Mitchell. At the risk of starving the troops on the river, (the Georgians and regulars,) I have ordered the quartermaster to send you

500 bushels of corn, and the commissary to move heaven and earth to send two or three days' subsistence for the troops brought with you. To prevent, however, all further erratic movements, I desire you to encamp your forces somewhere in the neighborhood of Fort Mitchell till further orders, or until I can see you. We will keep your forces, and those previously on the river, from starving, if possible, till the arrival of the Ockmulgee supplies, which, I suppose, will precede those from New Orleans by some days.

The first and one of the worst effects of your arrival will be, to prevent a movement of the Georgians and regulars as early as I intended; the former have pushed their impatience for active operations almost to a state of mutiny—a result which I may not be able to prevent, if they should learn that the arrival of the Alabamians is to hold them in a state of inglorious inactivity many days longer.

I wrote to you yesterday, and despatched the letter by a runner from Fort Mitchell.

I shall endeavor to visit Fort Mitchell to-morrow or the next day.

Though in grief, I still remain yours, with great regard,
WINFIELD SCOTT.

Maj. Gen. T. S. JESUP,
U. S. Army, commanding, &c.

P. S. Some wagons with subsistence are despatched to-night, but cannot arrive, I learn from Mr. Waite, till to-morrow morning. Some corn (250 or 300 bushels) will be down by 10 o'clock to-morrow, in the boat.
W. S.

No. 209.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 21, 1836.

SIR: A thousand muskets arrived here last night, and have been issued to as many troops this morning, who will immediately commence the march for a point on the Chattahoochie, (say) the mouth of the Cowaggee creek, below the enemy. The accoutrements for those muskets will be here to-morrow, and will be sent down the river in a steamboat the following day. With the accoutrements will come five hundred rifles, and a battalion of mounted men will remain to receive them. The delay in the arrival of those essential supplies I now know has been occasioned by steamboat accidents between Darien and Hawkinsville, and a difficulty in procuring wagons, although I had two agents for the purpose in that neighborhood. The horse will probably overtake the foot (I shall personally march with the former) on this side of a point on the Chattahoochie opposite to the Cowaggee creek. The enemy are understood to be entirely above that creek. If I find this to be so, I shall cross the troops to the Alabama side about that point.

Major Pierce, at the head of a small battalion of artillery, marched down on this side of the river yesterday. Major Lomax, at the head of a similar battalion, follows him closely. The first detachment of marines, under Colonel Henderson, will, I understand, be here to-morrow. He will immediately take the same route, and the same thing of the remain-

ing detachments of regulars. Brigadier General Fenwick is here, and will command all the regulars, formed into a brigade. I shall not hesitate, however, to detach from him freely, according to circumstances, and hence his forces are to be divided into light battalions.

Surgeon Lawson has arrived and entered on duty.

After leaving the necessary guards on the left bank of this river above, and particularly below Columbus, I may have left about two thousand Georgians, besides the regulars that may be up in time for the commencement of active operations against the enemy, together with one hundred friendly Indians.

From the copies of two letters from Major General Jesup to me, and copies of two from me to him, his position and strength may be inferred. I learn, this morning, that his fifteen or sixteen hundred friendly Indians have deserted him in whole or great part. This, however, is but a rumor. His exact position he has not communicated to me. I suppose him to have been, on the 19th instant, about twelve miles from Fort Mitchell; and it will be seen that I have suggested that he should, during his halt of a few days, approach nearer to that place, for the convenience of receiving supplies.

It will be seen, in his communication of the 17th, that he says: "I would have struck the enemy to-night, but for your letter." I have it from a respectable gentleman, to whom he made the communication on the 19th instant, at Fort Mitchell, that he did, nevertheless, attempt the blow, and found that the enemy had fled! We (the Governor of Georgia and myself) have great fears that the movements of Major General Jesup will render the enemy more desperate in his attempts to escape, in parties, across the river towards Florida. Hence, besides sending down, to guard the river, all the armed volunteers except four hundred, I have hastened in the same direction the two detachments of regulars mentioned above.

My intention is to give Major General Jesup instructions, in time, to act downwards from his present false position, simultaneously with the forces which are to be landed below the enemy. It is now the best disposition I can conveniently make of his forces.

With respect to this distinguished officer, I have every motive in the world, public and private, to act in perfect harmony. All my ancient affection for him is fast returning. I hope it will be entirely restored in a day or two; that is, as soon as I shall learn that he conforms himself to my plans and instructions.

I remain, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brig. Gen. JONES, *Adjutant General U. S. A.*

P. S. It may be well to contradict a ridiculous letter, going the rounds of the public papers, and well calculated to alarm the good people of lower Georgia, and of all Florida, from Major General Irvine, of Alabama, to Brigadier General Wilcox, of this State; in which he says, besides many other strange things, that two thousand Creek Indians had escaped across the Chattahoochie towards Florida. There is not the least truth in that formal and pompous statement. From the best information from below, we have reason to be confident that not a party, probably not an individual Creek Indian, has escaped in that direction.

W. S.

No. 210.

HEADQUARTERS, SECOND ARMY CORPS,
Camp on the waters of Hatchychubby, June 17, 1836.

GENERAL: I have this instant received your letter of yesterday. I regret that my operations have met your disapprobation; but they were commenced, and have been continued, for the purpose of staying the tomahawk and scalping-knife, and preventing the devastation of entire settlements or neighborhoods on the frontier; they have had the effect of tranquillizing, in some measure, the frontier people, and of inducing them to remain at their homes. I regret the censure implied in your remarks, because it is unmerited. I acted in accordance with what I believed to be the spirit of your instructions; but even were my conduct in direct opposition to your instructions given at a former period, the altered circumstances of the country is, I should think, a full justification. I consider it so; for I have none of that courage that would enable me to remain inactive, when women and children are daily falling beneath the blows of the savage. Writing in the open field, while I am interrupted every moment by matters of detail of every kind, even to the placing of a wagon, I cannot now explain the remarks in my letter which you have considered so "enigmatical," further than to say, in justice to Governor Clay, that he made no opposition to my assuming command, but made every effort to sustain me; and to add that, if successful in my present operations, I shall owe much of that success to his able arrangements; the troops, or rather a part of them, were opposed not to me, personally, but to any officer of the United States taking command of them; and I would take command of militia and volunteers on no other terms than their consent. I would resign my commission first.

I am now within five miles of Enea Mathla's camp, with twelve companies of volunteers, and four or five hundred Indian warriors; eleven hundred warriors, under Opotheola, will join to-night, and perhaps five hundred volunteers from Alabama. I made such arrangements for the defence of the settlements in my rear, that I feel assured of their entire security. I would have struck the enemy to-night, but for your letter; if he is not struck to-morrow morning, he will escape for the present; but the force I have in the field is sufficient to pursue and reduce him.

With every disposition to perform their duty, the volunteers and militia are necessarily extremely irregular in their returns, &c. I am not, therefore, able to send you a return in form of the force under my command.

I am, sir, respectfully, your obedient servant,

TH. S. JESUP, *Major General.*

Major General Scott,

Com'g Southern Army, Columbus, Georgia.

No. 211.

FORT MITCHELL, *June 19, 1836.*

SIR: I came here with your express, and an escort of an officer and two mounted men, expecting to meet you. I have halted the army under

my command on the Irwinton road, below the road to this place. In reply to that part of your letter upbraiding me for asking a small supply of subsistence and forage for the troops and horses of my corps, I owe it to myself to say that I knew supplies ought to arrive from New Orleans before I should want them; and to show that my calculation was correct, I have to inform you that a steamboat is here from New Orleans with supplies. I have ordered eight days' rations for my command. I took, yesterday, from the neighborhood of the hostile camp, upwards of a hundred head of cattle; and, as I had a good supply of rice, I could have reached Irwinton, without any supply from this place, had I been permitted to proceed. You have treated me with a degree of harshness which is cruel in the extreme. You charge me with deranging your plan of campaign. I understood one part of that plan to be the protection to the frontier settlements of Alabama. I may have failed in judgment as to the proper mode of protecting it; but, give me leave to say, the course I adopted has been successful: that frontier is now secure. I have upwards of twelve hundred Indian warriors in my camp; they will not remain inactive; what shall I do with them? Shall I dismiss or retain them, and employ them in scouring the swamps?

You charge me with not communicating with you, and giving you information on several points. With the duties I have had to perform, that was impossible. My occupation has been so incessant that I have not averaged three hours' sleep in the twenty-four for two weeks. I have kept you apprized of every thing important to be known. As to the reasons for my own acts, or those of others, I had not thought it necessary to say any thing. You knew me; and, from the perfect candor and fairness with which I acted towards you, and the efforts I made to sustain you, both with the Georgians and Alabamians, I had a right to expect different treatment from you. Under the circumstances, the harshness with which you have treated me is the extreme of cruelty. That matters not at this time; we have important duties to perform. If you will move to-day, General, with your disposable force, we can end the war before to-morrow night. Captain Page will give you important information. I am not ambitious of the honors of Indian warfare. I am content that the whole of them shall be yours; but let me entreat you to act promptly. I can prevent the escape of the enemy on this side of the country; and if you attack them in front, they are yours. If you hesitate, you are lost. I felt resentment this morning; I feel it no longer. By our former friendship, let me entreat you again to act promptly.

Yours, truly,

THOMAS S. JESUP.

Maj. Gen. W. Scott,
Comm'g Southern Army, Columbus, Ga.

P. S. Let me have two or three companies of regular troops, if you decide to attack these Indians. Page will tell you where they are.

No. 212.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 19, 1836.

SIR: In your first letter of the 17th instant, you tell me that you will be compelled to go to Fort Mitchell; and, according to an intimation in my reply to you of the same date, I went down yesterday with great inconvenience, not doubting that I should meet you or hear of you in the immediate vicinity of that place. The only news received of you there, was a rumor representing you to be on the return march to Tuskegee, which I could not credit, under the positive declaration in your letter of the 17th, quoted above; and Captain Page reported that he had, a few hours before, forwarded a despatch to Columbus from you to me.

Besides some rations sent down the night before, in wagons, the steamboat in which I was a passenger took down a further supply of subsistence, and some corn, all for the use of your troops, and in conformity with your requests of the 15th and 17th instant.

On my return to Columbus, late last evening, I received your second of the 17th instant. This is fully as strange as any of your previous communications. In it you repeat nothing of your previous intention of marching upon Fort Mitchell; but you take care to insert two or three topics which would furnish a good basis for a popular appeal against the hardship imposed on you of undertaking no system of offensive operations without my previous concurrence and readiness to act in concert with you. It would seem to be for this purpose—I can imagine no other—that you tell me that your operations have been “commenced, and have been continued, for the purpose of staying the tomahawk and scalping-knife, and preventing the devastation of entire settlements or neighborhoods on the frontier.” Nothing, certainly, could be more meritorious. The direct protection of the Alabama settlements was within your competency, and, indeed, among your paramount duties. But why commence a grand system of offensive operations, which has brought you out on this side of the Creek nation, at a point where I did not want you, without giving me the slightest intimation that you were about to commence, and of course without waiting for my approbation and co-operation? To have waited for such co-operation, and to have given me notice of your intended movements, were, allow me to say, also among your paramount duties.

Your next popular flourish is in these words: “I have none of that courage that would enable me to remain inactive, when women and children are daily falling beneath the blows of the savage.” I certainly believe that you have not—and there was not the slightest objection, in any quarter, to your protecting the women and children of the frontier, with the defence of which you were directly charged. Again: nothing could have been more praiseworthy; but how does this excuse your leaving those women and children, and, instead of marching upon Irwinton, where you were required, marching in hostile array, seeking battles, upon Fort Mitchell, where you were neither expected nor wanted?

On the subject of the Alabama frontier settlements, I am happy to learn, by your letter, that you made such arrangements for their safety as to leave you assured on that point.

The last dead point you make, as if it were for future use against me, is this: "I would have struck the enemy to-night, but for your letter: if he is not struck to-morrow morning, he will escape for the present; but the force I have in the field is sufficient to pursue and reduce him." Here I am made to deprive you and the country of a great imaginary victory. I say imaginary, for I am inclined to think that you are, on this occasion, a little too sanguine in your calculations. But the true answer is this: Who gave you authority to roam, at pleasure, through the Creek nation, at the head of the Alabamians and a body of friendly Indians, without giving notice to, and without concert with, the Georgians and regulars brought to this frontier for the same war, and at an enormous expense to the Government? Besides, from the position occupied by you, you are forced to operate *down* the country, instead of getting below the enemy, and operating *up*. This precisely inverts what you know to be my plan of campaign; a plan fully developed in conversation with you, and to which you did not in the least object, although you were invited to discuss it freely.

Whilst writing the above, I received your letter of this date, written at Fort Mitchell. You charge me with harshness. I have, certainly, in previous letters, complained heavily of you, as in the beginning of this, and have, in every instance, I think, given the grounds of those complaints. The facts stated by me, I think, bear the construction that I have placed upon them; and I have infinitely regretted the existence of those facts.

You are mistaken in supposing that I upbraided you for asking for small supplies of rations and forage for your troops. I regretted the scarcity of our resources in such supplies, and apprehended a scarcity, bordering on starvation, for a few days. Fortunately, eighty thousand rations have arrived at Fort Mitchell, and about twenty thousand here, which, yesterday, were not expected earlier than the 22d instant, perhaps the 23d instant; and I am confident, when here, that we both, by calculation, did not expect any thing from New Orleans before the 21st or 22d. I am rejoiced, as much on your account as my own, that we both have an abundant supply of rations for the present, and we know that one hundred and fifty thousand more will soon follow. I have ordered twelve thousand to be landed from the steamboat at Fort Mitchell, intending to distribute the remainder of that cargo among the posts below, for the benefit of all the troops in the field equally.

General, in haste, I have not intended to say any thing to injure you. I have shown, in strong terms, the construction I had a right to place upon your acts and letters. This, I know, may appear harsh. But, on the other hand, allow me to say that I have the greatest and an undiminished confidence in your honor, your intelligence, gallantry, and capacity for war. You use the word friendship. I have cherished for you, for more than twenty-two years, a warm and sincere affection, which I would not part with on any consideration. It has been a little shaken since I saw you; but one expression of your letter goes far to recall it. I think you have not been attentive to my plans and instructions. In this, I certainly think that you have erred, and also in your failure to report fully to me. Throwing, for a moment, seniority aside, I ask it of your ancient connexion with me, to be more careful in those particulars in future. It will

give me sincere delight to put down this war with you, and to give you all the same which I know you are so capable of winning.

I presume that you have approached a little nearer to Fort Mitchell, for the convenience of obtaining supplies. Some corn has been sent thither for your use, and I understand eight hundred or a thousand bushels may be had at a plantation below.

I shall not detain you in a state of inactivity many days. The arms, and some ammunition, must reach this place to-morrow, and the troops will march down, on the Georgia side, to place themselves below the enemy on the 22d. I think we shall cross the river about the mouth of the Cow-ag-gee. It is said there are no Indians below. I wish you could come into line with me there; but, as that cannot well be, without crossing you over to the Georgia side, and thence recrossing the river, I shall wish you to act downwards, as soon as the Georgians are in position to march in the opposite direction. More particular instructions you will receive from me, on this point, in a day or two. In the mean time, I wish you to send a force to the foot of the Uchee shoals, which, I understand, is just about a mile above the creek of the same name, in order to construct at that place a shed, closed at the ends and sides, capable of receiving and sheltering (say) one hundred thousand rations, with about five thousand bushels of corn. The lumber, (boards and scantling,) as also nails, shall be shipped from this place to-morrow or the next day. The number of men to be sent for this purpose, and to remain as a guard, you will please designate. Axes, spades, saws, and hammers, shall also be sent to the spot by Tuesday evening. A field-work, of slight construction, will, no doubt, be necessary for the guard; and you will give instructions accordingly.

I shall have to leave not less than fifteen hundred Georgians to guard the left bank of this river. The Alabamians must protect the depot at the foot of the Uchee shoals.

You shall hear from me again, probably, to-morrow. Let me have a report from you on the above subjects, and suggestions as many as you please.

With renewed regard, I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Major General T. S. JESUP,
Commanding Division Army of the South.

No. 213.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 21, 1836.

SIR: In my letter to you of the 19th, I requested that you would send a detachment to the foot of the Uchee shoals for the purposes then stated. I have since heard that there is another difficulty in the river, just above Fort Twiggs, called the *Belton rock*, nearly as bad as the Uchee shoals. I have, therefore, after consulting the best pilots belonging to the river, determined to make the establishment for the shelter and safety of army

supplies, including a picket-work for the defence of the detachment, at Bryant's landing, nearly or quite opposite to Fort Twiggs. To this point, then, I have to request that you will direct the detachment, for the purposes mentioned in my letter of the 19th instant; but, as it is a few miles nearer to the supposed great body of the Lower Creeks, I suggest the propriety of increasing the strength of the detachment. The lumber (boards and scantling) for the shed for provisions and other stores, together with nails, and the proper tools, will all be despatched in a steamboat this morning. The boat will lie at Fort Twiggs until the detachment appears on the opposite side.

A thousand muskets will be distributed to the Georgia line this morning, when the whole will march for Roanoke, and a point below. The accoutrements for those muskets, and the five hundred rifles for the unarmed horse, cannot be here from the Ockmulgee till to-morrow. I propose to send them after the troops in a steamboat. Perhaps a battalion of horse will prefer to remain and receive their rifles here; and, in that case, I shall personally march with the battalion, at the latest, the day after to-morrow.

I shall cross the Georgians, &c., into Alabama *below* the Indians—say in the vicinity of the mouth of the Cowikee. Major Pierce marched down the river yesterday with four companies of regulars. Major Lomax will follow to-day with a like battalion. I have pushed those troops below, as it is feared that your movements have quickened the desire of the enemy to escape across the river towards Florida. I have determined to keep the whole of the regulars in a brigade together, under the command of Brigadier General Fenwick. When you come into line with me, that brigade may make a part of your command.

About one hundred friendly Indians will march with the Georgia line, under Paddy Carr. I have felt some hesitation about the employment of these friendly Indians.

I shall write to you again respecting your movements. In haste.

I remain, with great respect and esteem, your obedient servant,
WINFIELD SCOTT.

Major General JESUP, U. S. A.,
Commanding 2d Division Army of the South.

No. 214.

[*Private.*]

FORT MITCHELL, ALABAMA,

June 20, 1836.

DEAR SIR: We have the Florida scenes enacted over again. This war ought to have been ended a week ago. I commenced operations on the Alabama side, and have succeeded in tranquillizing the whole frontier. One principal hostile chief, Enea Mico, came in, with many of his people, to a camp which I had formed for the purpose of feeding the starving Indians preparatory to their removal. Another, Enea Mathla, is a prisoner in my camp; and I was in full march, with a force sufficient to have terminated the war in five days, when my progress was arrested by an order from General Scott. He has censured me in the

most unmeasured and unwarrantable manner; and I shall be compelled to have the whole subject of this campaign investigated. There was force sufficient at Tuskegee, Columbus, and this place, one week after our arrival, to have put an end to this war, if it had been properly used; but it was thought necessary to adopt a splendid plan of campaign upon paper, and make every thing bend to it. To have waited the developments of that plan, would have left nothing to defend—bloodshed and conflagration would have pervaded entire counties of Alabama. If not arrested by General Scott, I shall apply to be relieved; for I disapprove, entirely, the course he has thought proper to pursue, and believe that his delay has been destructive of the best interests of the country.

Let the President see this letter; he, I am sure, will approve the promptness with which I have acted, when he shall be sensible that I have, by the movement I have made, tranquillized the whole Alabama frontier.

Make my respectful compliments to Mrs. Blair and your family.

Yours, most truly,

THOMAS S. JESUP.

FRANCIS P. BLAIR, Esq., *Washington city.*

Endorsement.

[Referred to the Secretary of War; that he forthwith order General Scott to this place, in order that an inquiry be had into the unaccountable delay in prosecuting the Creek war, and the failure of the campaigns in Florida. Let General Jesup assume the command. A. J.]

No. 215.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June, 23, 1836.

SIR: I set out, in a few minutes, to overtake Major General Sanford, of this State, who marched down on the left bank of the river yesterday, with a part of his division. A thousand muskets were distributed among his troops the day before; but the accoutrements and rifles coming from Hawkinsville will not be here in two or three days to come. Major General Irwin's letter to Brigadier General Wilcox, alluded to in my last communication, put the people towards Hawkinsville in such alarm, that the conductor of the wagon-train took a panic, and turned off the direct road, by which two or three days have been lost. I have sent an agent to force the train to this place.

The rifles and musket-accoutrements, with many other essential articles expected by that train, will follow in a steamboat; that is, the rifles remaining after arming a battalion of mounted men left here to receive them. Besides this battalion, Major General Sanford has with him about one hundred and sixty unarmed men.

The enemy, I have every reason to believe, is imbodyed, and principally between the Hatchychubby and the Cow-ag-gee creeks. I shall cross the troops below the latter.

We are confident (the Governor and myself) that no Indians have yet escaped across the Chattahoochie towards Florida. By an intelligent negro, who got off from them two or three days ago, we know, however, that the approach of Major General Jesup from above has induced them to make many endeavors to get across with their families. They approached the river, and prepared canoes, (most of which our steamboats have destroyed,) but found the guards on this side too strong to risk a passage and an escape. I speak of the more desperate of the lower bands.

Colonel Henderson has just arrived with the first detachment of the United States marines.

You must pardon me for not sending a return of the troops, particularly of the volunteers and draughts. There are about six hundred above this, guarding the passes across the river, and about eight hundred or a thousand were in positions below, before the march of Major General Sanford. The enclosed is an imperfect return, showing the force he had remaining with him; of which the *unarmed* mounted battalion left here, to receive rifles, makes part. I will endeavor to have something in the manner of a general return for you in a few days; for it has only been within a few days that I have had an organized staff. Major Ansart is yet in the rear.

I send with this copies of several letters from Major General Jesup to me, and of my replies. I have no doubt that we shall, in future, act together with the best feelings towards each other, and in perfect harmony. In haste.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 216.

HEADQUARTERS, CAMP, HATCHYCHUBBY,

June 20, 1836.

SIR: I have the honor to report the operations of this corps of the army, from the time I assumed the command to the present time.

I assumed the command of the troops on the Alabama frontier on the 9th instant. I was informed, on my arrival, that the volunteers were utterly averse to be placed under the command of an officer of the army, and I determined not to attempt to exercise command over men actuated by such feelings, particularly as I had no means at my disposal of enforcing an order, if given. By the active and patriotic exertions of Governor Clay and Major General Patterson, all feeling subsided, and I entered upon my duties, apparently with the best feelings of both officers and men in my favor.

I found, when I assumed the command, the frontier in a blaze, and so great a panic prevailing, that the entire abandonment of the country was apprehended. By the aid of Governor Clay, who had arrived at Tuskegee on the 8th, I succeeded in preparing the army for the field in the

best manner the resources at my command would admit. To quiet the frontier and to induce the inhabitants to remain at their homes, I took measures to ascertain the disposition of the Indians, and to employ a portion of them in service. I authorized Colonel Hogan to bring Opoth-le-yo-holo, the chief of the Upper Creeks, into service, with as many of his warriors as possible. I also authorized General Woodward to employ as many warriors as he could raise. He soon engaged about two hundred; and Opoth-le-yo-holo promised to raise five hundred.

On the 10th instant I received information that about a hundred Indians had come in from Enea Mico's camp. They professed to be friendly, and desired to join me in the field. Thirty-nine of them were armed. I refused to permit them to join me, and required the chiefs to disarm them, which was immediately done.

In consequence of information from Pike county of several murders and conflagrations by the Indians, and of the danger of the inhabitants abandoning the country, I considered it my duty to put the troops under my command in motion, for the purpose of taking a position at Long's, on the road to Fort Mitchell, where I was told a large supply of forage was to be found. I was also told that it was on the direct route to Irwinton. My objects in taking this position were: 1st, to give protection to the citizens of Pike county; 2d, to hold the hostile chief Enea Mico in check; and, 3d, to collect the forage said to remain in the country. The two first objects were completely attained; the latter but partially, the Indians having removed or destroyed a large portion of the corn. On arriving at Long's, I ascertained that there were two roads to Irwinton, and that I had passed that which I intended to take (and which I had been assured passed Long's) about nine or ten miles. Finding no forage, I was compelled to proceed or fall back. The latter would have been fatal. After due reflection, I determined to proceed, as the best of two evils, believing that I could reach Irwinton before you would be ready to operate, and could receive your final instructions on my way. The road was so intolerably bad that I was not able to move more than from nine to fourteen miles a day; and in consequence of not finding a fort at Long's, as I had been assured I should, and where I had intended to leave the baggage-wagons, I was compelled to take them on. I risked nothing by my movement, as I was in sufficient force to beat any body of Indians in the Creek country. I was on the shortest route to Irwinton, and so near the enemy as to compel them to remain imbedded where they were numerous, and to disperse where they were weak. The effect of the movement has been to put an end to all murders and conflagrations, and tranquillize completely the whole frontier of Alabama.

I received your letter of the 16th on the 17th, being then on the Irwinton road, in a southwesterly direction from Fort Mitchell. I proceeded the next day, and, on arriving in the vicinity of Enea Mathla's camp, I obtained upwards of a hundred head of cattle and a small supply of corn. In the camp, which had been but recently deserted, I received your letter of the 17th. I hastened to Fort Mitchell to meet you, but you had returned to Columbus. I found the advance of the supplies which I had required to be sent from New Orleans to Fort Mitchell.

On my return to camp, I found General Patterson had left early in the morning, with the Indian warriors and mounted men, to make a recon-

noissance of the country in advance. He returned in the evening, the Indians having made between thirty and forty prisoners, including negroes.

I am now encamped about twenty-two miles from Irwinton, and eighteen southwest of Fort Mitchell. The hostile Indians have dispersed; and, by the advice of the principal friendly chiefs, I have sent runners into their camps, to endeavor to induce part of them to come in. I sent the prisoners taken yesterday to Fort Mitchell; among them is a chief, Kia Mothola, of some importance in his tribe.

The impossibility of obtaining supplies on the Alabama side of the Creek country, in sufficient quantity to supply the army, has induced me to direct Major Brandt to cause the forage and subsistence collected at Natchitoches, for General Gaines's command, to be sent to Montgomery or Columbus. There is a large supply of both, and it is feared a sufficient quantity for our purposes cannot be obtained short of that place. I am, through Lieutenants Chambers and Barry and Major Brandt, making every effort to form a depot of forage and subsistence at Tuskegee; but I have little hope of succeeding. The Appalachicola and Chattahoochie are the only route through which we can calculate with certainty on receiving supplies.

I was not aware, until yesterday, that a letter which I wrote to you on the 9th instant had not been sent to you. It was accidentally put up with a bundle of papers, and I found it only yesterday morning; and, from no notice having been taken of my letter of the 12th, I fear it has not been received. It was sent by a runner. I enclose a copy of it.

Two negroes have just come into camp, who report that the Indians broke up in great consternation yesterday, and are on their way to Florida. Had I not been halted, I would have given you a good account of them.

As I was placed on this service by the express order of the President, I shall apply to him to be relieved, and shall demand a Court of Inquiry.

I shall await your orders here as to the disposition of the force under my command. Neither volunteers nor Indians can be long restrained.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP,
Major General.

Major General W. SCOTT,
Commanding the Southern Army, Columbus, Georgia.

No. 217.

HEADQUARTERS, SECOND ARMY CORPS S. A.,
Tuskegee, June 12, 1836.

SIR: I shall move forward this morning, in order to take a position at Long's, on the road to Fort Mitchell, where I shall be able to communicate readily with Major General Moore. From the best information I can obtain, I shall then be within twenty-two miles of Fort Mitchell.

A force of several hundred men, I accidentally learned, are assembled

in Pike county, at Watson's, on the Pensacola and Columbus road ; they are within two miles of the position I shall occupy ; and I yesterday sent a despatch to Brigadier General Moore, directing him, if not otherwise ordered, to take a position in advance of Irwinton, where he may join me by a single march.

Opoth-le-yo-holo will join me on the 16th instant, with from five to twelve hundred friendly Indian warriors. With that Indian force united to the regular and militia force, the war, I should think, may be brought to a close in ten or fifteen days. If, however, the hostile force should be larger than we apprehend, our united force will be sufficient to beat (them) in a month, and for my part I should prefer fighting them here than on the Western frontier ; where, no matter whether they go off peaceably or are removed by force, we shall have to meet and fight them in less than twelve months.

I would be glad to have a few regular troops ; if two companies can be spared, I desire that they join me as soon as practicable.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP,

Major General.

Major General W. Scott,

Commanding the Southern Army.

No. 218.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 21, 1836.

SIR : I have received, by the hands of your aid-de-camp, Lieutenant Lane, your letter of yesterday, and a copy of one of the 12th instant, the original of which has not reached me.

The letter of the 20th is an excellent military report of your operations. I regret the conclusion. I should be sorry to lose your services in the campaign. I am truly of opinion that your assistance cannot fail to be valuable.

I have no objection to your asking for a Court of Inquiry, or pursuing any other mode of redress against what you may esteem an injury at my hands. I do not think I have injured you. If I could be convinced of the contrary, there is no atonement, public or private, which I should not be ready to make.

I send you a copy of my Order No. 15. It, of course, excuses your command from the establishment of the place of depot at Bryant's landing, opposite to Fort Twiggs. This is done upon representations made to me by your aid-de-camp, and from a desire to prevent misconceptions on the part of the Alabamians. The duty I shall probably assign to the detachment of marines, which is the next body of regulars expected at this place.

I remain, sir, your most obedient servant,

WINFIELD SCOTT.

Major General T. S. JESUP,

Commanding, &c.

P. S. I have just learned that the rifles, accoutrements, &c., expected to-morrow from Hawkinsville, cannot arrive here before the 24th instant, the conductor of the train of wagons having heard a ridiculous report of there being Indians in the interior of Georgia, and thereupon changing his route, which will cause a loss of two days. I shall, the day after to-morrow, follow the armed troops, and leave here a body of unarmed horse to receive the rifles.

W. S.

No. 219.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 23, 1836.

SIR: I have this moment received your letter of this date. There is an expression in it that gives me great delight. I already feel the return of all my ancient affection for you. As to my confidence in your high honor, intelligence, and capacity for war, nothing has ever shaken that.

You must this morning have received my letter of yesterday, and also my Order No. 15.

I am sorry to learn that you are a little indisposed. I trust not seriously so. If well enough, I wish you to conduct the march of the Alabamians and friendly Indians, indicated in Order No. 15.

By what route are the Tennesseans approaching? I did not know, until the arrival of your aid-de-camp, that they were in march? If I knew where an order could find the commander, I would send instructions to him. When will he arrive in this neighborhood? Please, if you know his named route, send him instructions to march upon the depot about to be established by the marines, for the army, opposite to Fort Twiggs, that is to say, on the right bank of this river, at the place called Bryant's landing.

I shall pass by Fort Mitchell on this side of the river between the hours of 11 and 2 o'clock to-morrow. I will not ask you to wait for me, but should you still be there it would give me great pleasure to see you at the ferry for a few moments. I shall be in a great hurry. If you happen to be too much indisposed to come to the river, send me word, and I will try to cross over to you.

In haste. Very truly yours,

WINFIELD SCOTT.

To Major General T. S. JESUP, U. S. A.,
Commanding, &c.

No. 220.

HEADQUARTERS, FORT MITCHELL,
June 22, 1836.

SIR: I arrived here yesterday, on my way to your headquarters, but was so ill with a severe attack of gravel that I could go no further, and I was in so much agony that I could not write. I, however, desired

my aid-de-camp, Lieutenant Lane, to state to you the difficulties existing in my camp—difficulties which I fear will be attended with serious consequences.

I have despatched an express to Colonel Hogan, who commands the Indians, directing him to make such a disposition of the warriors under his command as to secure the frontier above from the depredations of the hostile Indians who may fly before us; and I have required Opoth Yoholo to disarm all who left my camp contrary to his orders. I have also required him to disarm, and send to this place, the son-in-law of Enca Mathla, the leading hostile chief.

My report, which Lieutenant Lane was directed to hand to you, was prepared previously to the reception of your two last letters; had those letters been received, the last paragraph of the report would have been modified.

I desire to be permitted to place Major General Patterson in the immediate command of his own division, at least so soon as Brigadier General Moore shall come into line. The effect on the service will be beneficial—he is a man every way to be relied on. The regular troops, the marines, the Indian warriors, and the Tennessee volunteers now on their march, will form a large division. If you will allow them to form my division, I will cheerfully go on to the close of the campaign, and afford you every support in my power. General Patterson will not continue in his present situation, nor would I, if I were in his place. He is a plain, sensible man, of great energy of character, and excellent military notions. He served with much reputation under General Jackson in the Creek war. I have no personal objects in view; my only desire is to serve the country in the best manner possible; and if the arrangement which I propose cannot be made, it would be better for the service that I should retire than that General Patterson should.

I am not able to ride on horseback this morning, but hope to be able to join the troops in the afternoon. I sent by express your last letter to General Patterson, with orders to perform the service required.

I have the honor to be, General, your obedient servant,

TH. S. JESUP, *Maj. Gen.*

Major General SCOTT,
Commanding the Southern Army, Columbus, Ga.

No. 221.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, June 23, 1836.

SIR: By another letter of this date you will perceive that I have been stopped at this place, as well to confer freely with Major General Jesup, as by the interesting occurrences of the last forty-eight hours.

Permit me to say, though in a public letter, that my friend, General Jesup has, by fuller explanations, perfectly satisfied me that he moved from Tuskegee and operated in this direction upon what he deemed an imperious necessity; and although I do not yet altogether concur with him in that conviction, I am satisfied that it was too strong upon him to have been resisted.

Indeed, if I had received his letter of the 9th instant, which, by accident, was never sent, or his letter of the 12th, which, by accident again, came to hand (a copy) on the 21st, no unkind remark on his correspondence or operations would probably have been made by me.

For the above reasons, I earnestly request the permission of the Secretary of War to return any and every letter of mine to the Adjutant General, with the copies of General Jesup's letters to me, which were enclosed, containing any animadversion whatever on the correspondence or operations of that distinguished officer and commander, so that, as we are again friends, no trace may remain on record that we ever had the slightest misunderstanding with each other. I trust that the Secretary will allow you to oblige me in this request, which is now equally the wish of Major General Jesup.

I am now further persuaded that, whether his operations were strictly in conformity with my plans or not, very favorable results have followed those operations.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General U. S. A.

No. 222.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 17, 1836.

SIR: I do myself the honor to enclose herewith a copy of an order that I despatched the day of its date to Lieutenant Colonel Foster, at Baton Rouge.

It no doubt will be interesting to you to learn the preparations made and making to put down the hostile Creek Indians, who are variously estimated at from 3,000 to 5,000 warriors.

Nearly the whole Georgia quota of volunteers and draughted men are already assembled on this river, but, unfortunately, of the 3,600 men, we have not as yet been able to arm and equip quite one-half. Muskets and rifles for the remainder are approaching in wagons and by water, together with accoutrements, but cannot be here before the 21st instant.

Nearly all the companies that have been armed have been despatched to the lower counties on this side of the river, to prevent the hostile Indians from escaping into Florida. Still the force sent in that direction has not been half as large as I could have wished. We have retained here but 400 armed men, with about 19,000 unarmed. I have, however, the consolation of believing that not a single party of the enemy has crossed the river from Florida.

My second object in pushing troops, as fast as armed, below, is to commence operations from a point at least as low as Irwinton, intending them to drive the enemy up the country, taking care not to leave a considerable body, not even a party of twenty or ten, behind me. As I advance up the country, and clear the river, it is my intention to call over a portion of the troops posted as guards on this side, to join in the pursuit.

This plan of operations I now have good reasons to hope I shall be able to command by the 23d instant, having engaged four steamboats to aid in circulating the troops and supplies, and having provided myself with flats for a prompt passage of the river wherever I may find necessary.

Six companies of regulars have already arrived from the North, and eight more, with a detachment of United States marines, about 450 strong, may be expected in a few days, but all cannot be up before the commencement of active actions.

Of the force of Alabama assembled below and on the other side of the Creek country, I have no official or accurate information. I have sent Major General Jesup, of the United States army, to Governor Clay, who was recently at Tuskegee, 43 miles only west of this place, to muster into service the Alabamians, and to take upon himself, under my orders, the direction of the war in that quarter; but I cannot learn that the Alabamians have consented to come under the laws and authority of the United States. I only know that there was some difficulty on this point up to the 8th instant, and I have no later intelligence from Major General Jesup. As to Governor Clay, he has not answered the letter from Governor Schley, who is here, nor condescended to acknowledge two letters from me of the same date, (May 31st,) in which we requested that no offensive movement should be made on that side until the Georgians and the United States troops should be ready to co-operate. In the mean time, it is known that Brigadier General Moore, of Alabama, with about 1,000 men, has moved from Irwinton upon the enemy; and it is reported that the remainder of the forces of the same State have within a few days commenced offensive operations. I have ordered Major General Jesup, if in command, to stop those movements till the 23d, and have requested Brigadier General Moore, who is presumed not to be mustered into the service of the United States, to desist from his premature and isolated operations. The latter, however, I have since heard, has been stopped by other causes at about 15 miles above Irwinton. This is all the information I have at present the power to give your excellency. The expresses of Major General Jesup, since the 8th instant, have probably been cut off by the enemy. Our supplies of subsistence in a few days will be ample.

For your operations in Florida it is probable that you may look for reinforcements from this quarter after the termination of the Creek war. I am sorry to inform you that not a Georgian will consent to march in that direction. Before I had received an intimation that reinforcements would be expected in Florida, many companies refused to be mustered into service till the Governor assured them that, as the whole quota of Georgia was expressly called into service for the Creek war, they could not be sent into Florida, unless the Creeks fled in that direction.

I shall be happy, as leisure may offer, to keep you advised of every event in this quarter that may be interesting to your excellency.

I have the honor to remain, with great respect, your excellency's most obedient servant,

WINFIELD SCOTT.

To his Excellency R. K. CALL,
Governor of Florida.

No. 223.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 20, 1836.

SIR: It is probable that the 100,000 rations shipped from Georgetown, D. C., to Darien, to be accompanied thence by an agent to Macon, may now be beyond your control, that is, already beyond Darien. They can hardly be wanted here, as I had previously caused about 100,000 rations from Savannah to take the same route, and about 70,000 have just arrived from New Orleans, to be followed by 180,000 more. Still, if the 100,000 rations have passed Darien, they must come to Macon or Hawkinsville, below, and I may have occasion for them in whole or in part. But General Gibson, in his letter to me of the 7th, mentions another 100,000 rations, shipped from New York to Charleston, which he presumes will take the same route. These I wished stopped. The waters of the Altamaha and Ockmulgee are falling rapidly, and the expense of transporting from Hawkinsville to this place (110 miles) very great. Besides the 250,000 rations arrived and expected from New Orleans, on this river, a large number has been ordered to Montgomery, on the other side of the Creek country.

With respect, your most obedient servant,

WINFIELD SCOTT.

This letter is written in triplicate to Lieutenants L'Engle, Dimmock, and Mackay. W. S.

No. 224.

HAWKINSVILLE, GEORGIA,

June 22, 1836.

SIR: I have the honor to inform you that the steamboat Comet arrived the day before yesterday, having in tow a boat partly loaded with United States stores.

The remainder of the howitzer-carriage has arrived, and the gun, together with ammunition and quartermaster's stores, provisions, &c.

Enclosed you will receive a list of what I have put in four wagons here now. This evening I expect wagons enough to make up a train of nine, and a team for the howitzer; so all will be able to start by evening, or at farthest next morning.

I will forward, by this train, all the ammunition, hospital stores, the most important of the quartermaster's stores, and some clothing.

Seventeen wagons are expected in a day or two from Augusta, and the teamsters, arrived last night, state that nine wagons are on their way from Columbus. A few more can be obtained in this vicinity.

I have the honor to be, sir, very respectfully, your obedient servant,

S. P. HEINTZELMAN,

Lieutenant, A. A. Quartermaster.

Maj. E. KIRBY,

Paymaster and A. A. Adj. General,

Army of the South, Columbus, Ga.

*List of stores turned over for transportation to Columbus, Georgia, by
Lieutenant Heintzelman, U. S. Army, viz :*

- 16 boxes musket-ball and buck-shot cartridges, 2,160 each.
- 2 boxes buck-shot cartridges, 1,680 each.
- 8 kegs cartridges, m. b. and b. shot, 900 each.
- 1 box rifle cartridges, 11 to 1,200.
- 1 cask, (supposed to be ordnance stores.)
- 2 boxes, do. do.
- 3 boxes howitzer canister shot, 10 each.
- 5 kegs howitzer cartridges, 45 each.
- 1 box artillery equipments.
- 1 box fuses.
- 1 box laboratory tools.
- 3 boxes small-arms.
- 4 boxes hospital stores.
- 7½ boxes felling-axes.
- 3 boxes broad-axes.
- 35 common tents.
- 21 wall tents.
- 13 flies for wall tents.
- 5 boxes camp-kettles.
- 1 24-pounder howitzer, with implements.

S. P. HEINTZELMAN,
Lt. and A. A. Quartermaster.

HAWKINSVILLE, GA., June 21, 1836.

P. S. In addition to the above are 100 howitzers, 6 boxes howitzer canister shot, &c. I have no invoice of the ordnance stores.

S. P. H.

No. 225.

WAR DEPARTMENT, June 20, 1836.

SIR: Your letter of the 12th instant to the Adjutant General has been laid before the President.

I am instructed by the President to inform you that he cannot but hope that the well-known patriotism of the Governor and citizens of Alabama will prevent a resort to so dangerous a measure as that of withholding the militia from the service of the United States, during a period of open hostilities, and when it has become essentially necessary for the protection of the frontiers that the General Government should take the direction of the operations necessary to reduce the hostile Creek Indians.

Should, however, the President be disappointed in his just expectations, and should the militia of the State of Alabama not have been mustered into the service of the United States, agreeably to the requisition of the Department, you will immediately stop all expenditures and supplies, of every kind whatever, on the part of the United States, for such militia; and you will, without delay, give instructions to this effect to the disbursing and issuing officers of the United States in that quarter.

Should this course become necessary, you will be pleased to communicate a copy of these instructions to the Governor of Alabama.

Very respectfully, &c.,

LEWIS CASS.

Major General Scott,
Fort Mitchell, Alabama.

No. 226.

WAR DEPARTMENT, June 20, 1836.

SIR: I presume Major General Jesup communicated to you a copy of my letter to him of the 25th ultimo. Lest, however, he should not have done this, a copy of it is herewith enclosed.

By a letter just received from Governor Cannon, it appears that the Western brigade of mounted men will rendezvous at Fayetteville on the 1st of July. They will be armed and equipped from the State arsenal, and will proceed, I presume, without delay to report themselves to you.

Brigadier General Clinch has resigned his commission in the army, and, by direction of the President, the command of the regular forces and militia serving in Florida has been assigned to Governor Call. It was hoped that a body of volunteers, under the recent act of Congress, might have been raised in that Territory; and Governor Call was requested to raise a brigade amounting to 1,000 men. I am apprehensive, however, by information received from him, that he will not be able to raise this force. In that event, it will be absolutely necessary that some other aid should be afforded for the defence of Florida; and as it appears, in your letter of the 12th instant to the Adjutant General, that there is no probability that any portion of the Georgia or Alabama troops will consent to serve in Florida, resort must be had to the West Tennessee brigade. You will please to direct at least one thousand of them to proceed without delay, and report themselves to Governor Call. If necessary, you will cause them to be met on the road with this information, in order that they may be able to take the nearest route to their destination. I will thank you to communicate freely with Governor Call on the subject of your own operations and his. Should you find, however, by communicating with Governor Call, that he has succeeded in raising such a force as he deems adequate to the defence of the Territory, you will then stop the Western Tennessee troops, and employ them as you deem proper, or cause them to be discharged.

I have to request that one or more of the steamboats authorized to be employed may be placed under the direction of Governor Call, so as to ply in the waters of Florida, if you can spare them. I presume that, as soon as those expected from New Orleans arrive, you will be able to detach some of them to his aid.

Very respectfully,

LEWIS CASS.

Major General Scott,
Fort Mitchell, Alabama.

No. 227.

WAR DEPARTMENT, June 24, 1836.

SIR: I have received your letter of the 14th instant; and I received, some time since, your letter of the 30th of April to the Adjutant General, suggesting the adoption of such measures as have occurred to you preparatory to operations against the Seminole Indians in the autumn.

As Governor Call has been allowed, upon his suggestion, to conduct an expedition against the Indians during the summer, it would not be proper for this Department to carry into effect any arrangements looking to a campaign in the fall, until it is ascertained that the state of things will require that measure. The whole matter has, therefore, been committed to Governor Call, with full authority to make such preparations as may be necessary for a vigorous prosecution of operations against the Indians in the autumn, the moment he finds that such a course will be required.

I shall state to the proper committee the difficulties that are now experienced in the enlistment of men, in the hope that some arrangements will be adopted to obviate them.

Very respectfully, &c.,

LEWIS CASS.

Major General Scott,
Columbus, Georgia.

No. 228.

HEADQUARTERS, MOUTH OF THE COWAGGEE,
South Alabama Brigade, June 25, 1836.

SIR: I received your communication dated Roanoke, June 25, 1836, in which you express some doubts as to the position I hold in the service. In answer, I have to inform you that I was ordered into service by the Governor of Alabama, and blank-rolls furnished by his excellency to have the troops enrolled into the service of the United States; which rolls have been filled agreeably to orders. I was instructed, at the same time, to obey the orders of Major General Patterson or General Jesup—and that General Winfield Scott would give general direction to the war. I have received orders from both Generals Patterson and Jesup, with discretionary power—all which I have endeavored to comply with. A return of strength and condition has been made to the Governor, to General Patterson, and General Jesup. I was furnished with arms to a certain extent from the arsenal at Mount Vernon, Alabama. The strength of my command, at this time, is about 1,300 privates, of which six hundred are mounted infantry. Since my arrival at Irwinton I have occupied a point, with a detachment, on the frontier of Pike county; a detachment at Irwinton. With the main body of my force I have occupied different positions, viz: Irwinton; Cowaggee fort, 12 miles from the river; Fort Barbour, 15 miles from Irwinton; and have visited High Log town; burnt sixty or seventy houses at that place; passed over the south, middle, and north branches of the Cowaggee; encamped 24 hours on the Hatchy-chubby—there was sign of the Indians having made a precipitate retreat

from their houses. I am now at the mouth of the Cowaggee, and have just learned, from a party of my scouts, that a part of your army is at present in position on the upper side of the creek, about two miles distant. I send this letter to the commanding officer of the detachment, with a request that he will forward it immediately to you. I will again remark that I have visited High Log town, burnt the houses, and scoured the creek (Hatchychubby) for eight or ten miles up and down—crossed all the branches of the Cowaggee, and entered their forks. Few Indians were seen. My advance guard fired upon some on the north prong of the Cowaggee. A detachment of my troops arrested and made prisoners of 300 Eufaula Indians, 200 of whom were warriors, and five chiefs, Elkyhago, Hartis-micco, Tustinuggee-hago, &c. Among them were the two Indians who were identified as the murderers of the Watsons, in Pike county. These Indians were delivered over to Walker, by the order of General Jesup. I think it would be nothing but right that the Indians thus identified should be delivered up to the civil authorities of Pike county.

Your most obedient servant,

JOHN W. MOORE,

Brig'r Gen'l command'g Alabama Volunteers.

Major General WINFIELD SCOTT,

Commanding Army of the South.

No. 229.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 16, 1836.

ORDERS No. 8.

All the troops of the Georgia line will hold themselves in readiness to take the field the moment the arms and ammunition, now daily expected, shall arrive.

As an indispensable preparation, every mounted officer of every rank, and every mounted man, will immediately provide himself with a wallet capable of carrying three days' supply of corn for his horse. Commanding officers will see that this preparation be made at once.

Haversacks are provided for all the volunteers and draughted men, whether mounted or on foot. To obtain them, requisitions will be made on the United States quartermaster at this place. Each man will be careful to mark his wallet and haversack with his name, as soon as they come into his hands.

The baggage of officers and companies, at the commencement of the first march, must be reduced to the smallest amount. All heavy and superfluous articles will be left behind. Troops, to pursue an enemy with success, must move lightly; no company, therefore, can be allowed to take into the enemy's country more than four tents for officers and men. Commanders of every rank will look strictly to the due execution of this order, or the army will be rendered utterly incapable of active movements by the overwhelming weight of its baggage-train.

Light camp-kettles and mess-pans have been provided for the troops.

Cast-iron ovens, skillets, and the like, are too heavy to be allowed to go into the wagons, which are principally to be loaded with ammunition and subsistence for men.

WINFIELD SCOTT.

No. 230.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 20, 1836.

ORDERS No. 11.

Major General Sanford will, as fast as he can arm and equip the troops of his division, put them in march by detachments on this side of the Chattahoochie for Roanoke, and a point below, which will be given in time. All the regular troops which have already arrived, and which are daily expected, including the United States marines, will take the same route without delay.

The quartermaster will furnish the necessary land transportation for those several detachments, including three days' subsistence in wagons. Besides this provision, every man will commence the march with two days' rations in his haversack; and every mounted officer and mounted man will take corn in his wallet sufficient for his horse for two days.

Major General Sanford will, as soon as practicable, designate two companies, in addition to the three now in Columbus, to be left for the defence of this city; and he will designate one other company to proceed to Fort Mitchell, as a part of the garrison of that place. These companies will all be infantry, and not mounted men. They probably will not long be left stationary, but, if practicable, shall have an opportunity of participating in the events of the field.

WINFIELD SCOTT.

No. 231.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 20, 1836.

ORDERS No. 13.

Colonel A. H. Kenan, one of the aids of his excellency the Governor of Georgia, has been appointed the volunteer aid-de-camp of the Major General commanding this army. The regular aids of the latter are: Lieutenant T. J. Lee, of the United States 4th artillery, and Lieutenant W. H. Betts, of the United States 1st artillery.

Major Ansart, of the United States 3d artillery, is appointed to act as inspector general.

Any orders, whether oral or in writing, which may be communicated by either of those officers, in the name or by the authority of the Commanding General, will be obeyed as if they were given by him in person, or under his own signature.

Dr. Lawson, the senior surgeon of the United States army, is appointed *medical director* to this army. He will have the general control over all

hospitals, and the distribution of duty among the surgeons, assistant surgeons, and surgeons' mates, of this army, as well as the distribution, among the medical officers, of medicines and hospital stores.

WINFIELD SCOTT.

No. 232.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 21, 1836.

ORDERS No. 15.

Major General Scott has received with great satisfaction a report of the zeal, gallantry, and general good conduct, of the Alabama troops, in their march through the enemy's country upon the waters of the Hatchychubby, under the able command of Major General Jesup.

Major General Jesup will march his forces by the best practicable route down the country to a point a little below the enemy, where, in a very few days, he will come into line with the Georgia volunteers and a brigade of regular troops. This brigade is destined to constitute a part of his command.

On the union of the forces mentioned, the whole will move up the country in concert against the enemy, when it is confidently hoped that no feeling other than a generous rivalry will be entertained by the forces of the different States, or between those of a State and the troops of the United States. The whole will be engaged in a common cause against a common enemy, whom all must be equally desirous to punish and to crush for the innumerable atrocities which that enemy has committed.

WINFIELD SCOTT.

No. 233.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 22, 1836.

ORDERS No. 17.

On the arrival of the wagon-train from Hawkinsville, Major Alford's battalion of mounted volunteers will receive the number of rifles, with flasks, necessary to arm it.

The remainder of the rifles, with their flasks, &c., together with thirteen hundred musket-accoutrements, two hundred camp-kettles, a hospital tent, four wall tents with poles and pins, five thousand rifle flints, twelve thousand musket flints, ——— kegs of rifle powder, and all the musket cartridges that can be furnished by the ordnance officer here, will be put on board the steamboat Reindeer, and instantly despatched to overtake the army at or near Roanoke.

There will be likewise shipped on board the same boat, which will take two of the new flats in tow, one ferry-rope, and as much corn and other essential supplies as will complete her load. The remainder of the corn collected here will be shipped in other boats, and sent to the same destination.

The unarmed troops stationed on the river above will be armed out of the next supply of muskets and rifles which may arrive at this place. The muskets will be accompanied by accoutrements, and a suitable number of cartridges.

By order of Major General Scott :

THOMAS J. LEE,
Lieutenant and Aid-de-camp.

No. 234.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, July 6, 1836.

ORDERS No. 27.

Under orders already given, Major Erving's battalion of the United States artillery will take up a good position, (with reference to health, wood, and water,) at or near Adams's or Elliot's stand, about twelve miles from Columbus, and the battalion of United States artillery under the command of Major Whiting will occupy a position at or near McClellan's, or Caswell's, about fourteen miles from Tuskegee.

The objects of these positions are, to open and hold secure the communication by mail on the great post road from Columbus to the West.

Both battalions will remain under the command of Lieutenant Colonel Brooks, and each will daily send out patrols to the distance of some miles, both ways, on the post road. They will take subsistence with them, as follows: Major Erving's battalion for eight, and Major Whiting's for ten days.

Captain Garmany's company of mounted volunteers will march by the great post road from Columbus for Tuskegee on the 8th instant. Each man will take on his horse subsistence and corn for three days. On his return march from Tuskegee, he will find similar supplies at McClellan's to last his company back to Columbus, and which supplies will be sent in advance by the United States quartermaster and commissary at this place. The same company will repeat the same tour, after resting two days at Columbus, taking care to report, in going and returning, every thing they may observe at all interesting to the service, to the commanders at the two ends of the route, and at the two intermediate posts.

By order of Major General Scott :

A. H. KENAN,
Colonel and Aid-de-camp.

No. 235.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, July 6, 1836.

ORDERS No. 28.

The second regiment of Georgia foot volunteers, under Colonel Williamson, will be immediately mustered for an honorable discharge from

the service of the United States, by the acting inspector general of the army, Major Ansart. The companies will be paid off in succession, as fast as mustered, or as fast as practicable, by Paymaster Major Randall. The officers of every grade will lend such assistance in writing to Majors Ansart and Randall as will facilitate the discharge and payment.

The Commanding General hopes to be able, in a few days, to discharge the other regiments of volunteer infantry of the Georgia line, and, at a period a little later, to begin the discharge of the mounted troops. But he can give no pledge to that effect, and he is sure that no patriotic Georgian will murmur at any little delay which may be dictated by the high considerations of public safety and public good.

Paymaster Major Muhlenberg will report himself to Major General Jesup for duty in the pay department.

Colonel Williamson's regiment will, upon being discharged, turn over to the United States quartermaster, and the United States ordnance officers, all the public property in its possession.

By order of Major General Scott :

FELIX ANSART,
Acting Inspector General.

No. 236.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, June 24, 1836.

SIR: I left Columbus yesterday with a small escort, (forty mounted men,) now eight miles below, which I shall overtake this morning, and proceed rapidly to the point of crossing the Georgia line, and some regulars who have preceded me two or three days, to this side of the river. I had arranged a meeting with Major General Jesup, who has been here three days, at the ferry, a mile and a half from this fort, but missed the turn-off road, and had got five miles below, when I received despatches of importance; turned back, met him, and was induced to come here for the night. Copies of the letters contained in that despatch will be found enclosed.

General Jesup and many of the officers with him consider the war as mainly over. They estimate that there only remain out some one hundred and fifty decidedly hostile warriors, under the noted and atrocious leader, Jim Henry, besides the party of Neomico, who have for some time stood fast in their camp, in a state of doubtful inactivity or neutrality. They will probably in a short time unconditionally surrender themselves. They are nearer to Tuskegee than to the Chattahoochie.

The numbers of the hostile parties yet to be compelled to surrender or to be beaten are, however, differently estimated by others. Captain Page, and some other well-informed persons in Indian affairs in this quarter, think that there may yet be outstanding as many as one thousand hostile warriors. As the number, whose hostility was well known a few weeks ago, was certainly as great as two thousand five hundred, if not three thousand, and as not more than eight hundred or nine hundred are known to have surrendered themselves here and at Tuskegee, (not reckoning the principal part of Neomico's band mentioned above, and

which may amount to six hundred or seven hundred,) there must be remaining about one thousand who are yet to come in or to be subdued. Of the three hundred and ten who, the day before yesterday, voluntarily gave themselves up to Major General Patterson and Colonel Hogan, both of this State, at the two camps some twenty-odd miles southeast of this place, and who were yesterday put under a strong escort of Alabamians and friendly Indians, to be brought here, it is thought that not less than eighty escaped on the way. At the time of surrender, there were about that number of warriors more than there were arms. It is now believed, by Major General Jesup and others, that these warriors concealed their arms before the surrender; and their object in coming in was to get information and then to escape. It is admitted by the prisoners themselves, that before coming in, they sold or gave to the hostile parties still out all their powder and lead. These hostile parties, whatever their numbers, are admitted to be among the most desperate of the nation. They are known to be now between the Hatchchubby and Cowaggee creeks; principally on the waters and in the swamps of the latter. They still cherish the hope of escaping to Florida, and must give us a great deal of trouble to capture, if they do not voluntarily come in. I think, with the measures already adopted and in contemplation for guarding the river, it will be impossible for them to escape to Florida.

The Georgia line, and two battalions of regulars, already below, will still be crossed, as I have heretofore contemplated, below the Cowaggee; that is, below the enemy, to scour the country upwards, whilst General Jesup moves with his forces in the opposite direction. No time will be lost in putting this combined movement in execution. The flats, for crossing the river, will pass down to-day.

I am only restrained, since recent events, from discharging a part of the Georgia line, (say six or seven companies of horse, left at Columbus without arms,) from the fear of giving offence to brave and patriotic men who have come a great distance to seek an opportunity of distinction. They moreover may be useful in guarding the left bank of the river, whilst operations are going on on the right; and if the corn expected daily from New Orleans should arrive, not sweated, I shall have no difficulty in feeding horses. On this point I shall be better able to decide in a day or two, and after consulting his excellency Governor Schley, still at Columbus, whose judgment and dispositions are worthy of all respect.

General Jesup has received, through Major Brandt, at Montgomery, news of the approach of a body of Tennessee horse; but he does not know precisely by what route. I shall desire the General to write to the commander of the Tennesseans, through Major Brandt, who may have received later and more precise information of the position of those troops. I would prefer to stop them; but, if they are near us, measures must be taken for their reception and subsistence.

I remain, with high respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General JONES,

Adjutant General U. S. A.

P. S. The movements of Major General Jesup, the strong guards placed on the river below, rendering an escape towards Florida hopeless,

and the large assemblage of troops all around the Creek country, showing that their early subjugation was inevitable, has caused the early surrender of the hostile parties who have come in. Besides those who gave themselves up to the Alabamians and friendly Indians, between fifty and seventy came in to this place previously, without any escort. The number of warriors who are now in confinement here is a little more than three hundred. There are a greater number of their women and children. I cannot get an exact return of their numbers, ages, and sexes.

W. S.

No. 237.

HEADQUARTERS, FORT MITCHELL,
June 23, 1836.

SIR: I have the honor to enclose copies of reports from Major General Patterson and Captain Parrott, by which you will observe that little remains to be done. Jim Henry is still out, with about one hundred and fifty warriors; but my Indian warriors, who have halted, and await my orders at the Big spring, say they can take him. I have just received information that a Seminole chief, with a number of his warriors, is with Henry; the information comes from a negro taken last night.

I have the honor to be, General, your obedient servant,
THOMAS S. JESUP,
Major General commanding.

Major General SCOTT,
Commanding Southern Army on the march.

No. 238.

CAMP, NEAR HATCHYCHUBBY,
June 22, 1836.

SIR: I have the pleasure to inform you that the hostile Indians, with the exception of a part of the Hitchitees, and a small party of the Uchees, under Jim Henry, have all come into camp and surrendered themselves unconditionally as prisoners. Their number, including women and children, is about eight hundred to one thousand. It is stated by the prisoners that the Hitchitees have gone to Fort Mitchell; for which place I shall march with my command, together with the prisoners, on to-morrow morning.

B. PATTERSON,
Major General commanding.

Major General JESUP,
Fort Mitchell.

No. 239.

HEADQUARTERS, 2D ARMY CORPS OF THE SOUTHERN ARMY,
Camp on the Hatchychubby, June 22, 1836.

GENERAL: Soon after your departure yesterday, the prisoners whom you had despatched the day before, to the hostile camps, returned. They brought with them a few of the hostile party; and their object appeared to be to understand fully the terms on which the hostile Indians, generally, would be received. General Patterson repeated to them what had been said by yourself—that they must surrender their arms and submit unconditionally, and that justice should be dealt out to them. Those who came in yesterday represented the Uchee, Hitchitee, and Chehaw towns. They stated the Uchee warriors to be 200, and the Chehaw and Hitchitee 60 each; making 320 in all; and that these composed the great body of the hostile Indians.

To-day nearly all of the Uchees have come in, as well as some of the Hitchitees, and many of the Chehaws. The Uchees are the most numerous and warlike of the enemy. We have reports that several of the hostiles have gone to Echa Hodge camp, and Fort Mitchell, rather than surrender here. Two have been captured to-day by Opoth Yoholo's Indians, and sent to this camp. General Patterson will march from Fort Mitchell very early in the morning.

There are a great many Indian women and children, and many negroes, in camp, who have come in with the hostile Indians. It is expected here, from a hasty examination, that 250 Uchees and 54 Hitchitees and Chehaws, capable of bearing arms, have surrendered. These are the numbers; very nearly several hundred women and children, and about 60 negroes, have accompanied them. The best informed in camp consider this a finishing to the war.

With great respect, your obedient servant,

R. P. PARROTT,
Captain and acting Adj. Gen.

To Major General JESUP,
Commanding, &c.

No. 240.

HEADQUARTERS, FORT MITCHELL,
June 25, 1836.

SIR: In obedience to your instructions and the command of the President, I departed from Washington for this frontier on the 22d of May, to take command of the army, and the direction of the operations against the Creek Indians. At Augusta, Georgia, I found Major General Scott, on his way to the same point, and for the same purpose. We proceeded in company to Columbus, Georgia, where Major General Scott established his headquarters, and assumed the command of the army. He ordered me to proceed to the western frontier of the Creek country, and assume the command of the troops assembling in Alabama. The communication between Columbus and Tuskegee being in the possession of

the enemy, and commanded by one of his hostile camps, an escort was required to accompany me through.

On the 4th instant I set out, accompanied by about 120 mounted men, and dashed directly through the hostile country, passing within three miles of Neah Mico's camp, where there were several hundred warriors assembled. I arrived at Tuskegee on the evening of the 5th instant, where I found Major General Patterson, of the Alabama militia, in command of about seven hundred volunteers and militia. On the 7th I departed for Montgomery, to confer with his excellency Governor Clay. I was so fortunate as to meet the Governor at Line creek, and returned with him on the 8th. On the 9th I assumed the command of the frontier. At this time a general panic pervaded the whole country: the Indians were plundering, murdering, and burning, in all directions; and there seemed to me to be great danger of several of the frontier counties breaking up entirely, unless some decisive movements were made. I determined to move forward to the vicinity of Neah Mico's camp, to hold it in check to cover the frontier of Pike county, and to obtain a supply of corn for the horses of the mounted men. Major General Patterson had but about 720 men disposable, after furnishing a sufficient garrison to protect the depot and the inhabitants at Tuskegee; but I had previously held councils with the Indian chiefs Opoth Yoholo, Jim Boy, Tuckabatche Hadjo, and others, who I understood to be favorable to our cause, and had authorized Captain William Walker, formerly an officer of the army, and General Woodward, of Tuskegee, and Colonel John B. Hogan, inspector general of the Alabama volunteers, to raise and bring into service from one to two thousand Indian warriors. I advanced into the Indian country on the 12th and proceeded about five miles. On the 13th I advanced to Stone's, on the old Federal road, and on the 14th to Long's, the Indian chiefs Jim Boy and Tuckabatche Hadgo having joined during the march, with about four hundred and fifty Indian warriors. Not finding a supply of corn at Long's, as I had been induced to believe I should, I determined to proceed direct to Irwinton, the point indicated by General Scott as that whence operations should commence. I moved forward on the 15th, to the Big spring, and being then among the hostile Indians, expected an attack during the march; but the conduct and countenance of both volunteers and Indian warriors were such as to give me no apprehension of the result, should the enemy venture to dispute the ground. About one o'clock, the advance of the army, under General Woodward, succeeded in capturing Enea Mathla, the principal and most determined of the hostile chiefs. I encamped at the Big spring, and having received information there that the camp of Enea Mathla was directly on our route, the next day was spent at the Spring, waiting the arrival of five companies of mounted men, then on their march, and reported to be near.

On the morning of the 17th I moved forward (the five companies not having come up) and encamped on the waters of the Hatchychubby, on the Irwinton road, about eight or nine miles from Enea Mathla's camp. Here the Indian chief Opoth Yoholo joined me, with 1,150 warriors. On the evening of this day I received a despatch from General Scott, censuring me for my movement, and directing me to stop all offensive movements. In the situation in which I then found myself, to comply with those instructions would have been fatal. I had fifteen hundred friendly warriors, who, had I halted, would have become dissatisfied,

would have lost all confidence in me, and would have left me. The volunteers were animated by the most admirable spirit; to have checked them at that moment would have been productive of the greatest disappointment, and would have depressed their *morale*, if it had not elevated that of the enemy. As General Scott was necessarily unacquainted with the circumstances under which I was placed, I felt it to be my duty to disregard the order to "*stop all offensive movements.*" I accordingly put the army in motion on the morning of the 18th, my force being increased to 2,300 men, including the Indian warriors, and advanced to the ford of the Hatchychubby; the enemy fled before me, and in the afternoon I took possession of Enea Mathla's camp, and obtained there, and in the vicinity, a small supply of corn and about a hundred head of cattle. Whilst in the enemy's camp I received a second peremptory order from General Scott to halt and "encamp" my "forces somewhere in the neighborhood of Fort Mitchell, until further orders." My dispositions, at the time I received General Scott's order, were such that I could not have failed to bring the enemy to action in twenty-four hours; and victory was certain. I however did not feel myself at liberty to disobey the second order, but directed Major General Patterson to encamp the troops, and assume the command of them; and I proceeded to Fort Mitchell to confer with General Scott, and to obtain his sanction to the prosecution of the operations which I had commenced. He had returned to Columbus before I arrived at Fort Mitchell, and I was compelled to go to camp without having had an interview with him.

On my return to camp, I found that General Patterson, with the mounted men of his division, had made an excursion down the north side of the Hatchychubby, and the Indian warriors had been thrown below, to scour the country on the south side. The latter succeeded in capturing several Indians, among them a principal chief. By the advice of the friendly Indian chiefs, I sent out messengers on the morning of the 20th, to advise the hostile Indians to surrender. On the 21st, before they returned, I left the army, and came to this place to see General Scott, and become acquainted with his future plans. On the 22d the messengers returned to camp, and upwards of three hundred warriors and five hundred and fifty women and children surrendered prisoners, and were sent hither by General Patterson, on the 23d, accompanied by six companies of mounted men. I ordered General Patterson to this post, with the troops of his division, and the Indian warriors under Jim Boy, where he arrived on the evening of the 24th; Opoth Yoholo, with his warriors, having been previously ordered to the Big spring. On the 24th, having received information that one of the hostile chiefs was between the mouth of the Uchee creek and Hatchychubby, below this post, determined to make a reconnoissance of the country in that direction. Accordingly I proceeded, with six companies of mounted men, and about sixty Indian warriors under Jim Boy. I scoured the country for many miles, and a part of my force fell in with a party of the enemy, and captured upwards of thirty warriors, which, with the women and children taken at the same time, amounted to one hundred and thirteen.

I consider the war at an end. My operations have broken the power of the hostile chiefs, dissolved their formidable confederacy, and given entire security to the country. The hostile Indians that have not sur-

rendered are wandering without concert or object, and I believe only wait a favorable opportunity to come in.

I have been severely censured by General Scott for my movements, but I feel that I have done my duty to the best of my abilities; to have acted otherwise would have doubled the Indian force against us, and have caused the destruction of the fairest portion of Alabama.

To disregard the positive order of a military superior is, I am aware, a high military offence; but, in the circumstances in which I found myself surrounded, the best interests of my country required of me prompt and decisive action. I have acted on my own responsibility, and am willing to meet the consequences; and whatsoever of censure may be cast upon me, I never can regret what I have done. I desire that this communication be laid before the President, that my motives as well as my acts may be understood by him; and I beg you to assure him that, whatever his decision in my case be, I shall be satisfied. I would infinitely prefer to lose my commission for what I have done, than to receive the highest honors of the country, had I remained inactive, and permitted the country around me to have been devastated.

To Major General Patterson, and the officers and soldiers of his division, I feel deeply indebted for their kindness, liberality, and good conduct. Every individual performed his duty with promptness and energy; and I have never served with any body of men in whom I had greater confidence, or who, I am persuaded, would have given a better account of the enemy, had he ventured to meet us in battle.

To my acting adjutant general, Captain Parrott, and my acting quartermaster, Lieutenant Chambers, as well as to my aid-de-camp, Captain Lane, and my volunteer aids, Colonel Goldthwait and Major Baykin, I am under the greatest obligations for the promptness and ability with which they have discharged their respective duties, and the good temper and prudence which they have on all occasions displayed in their intercourse with the troops.

To the able arrangements of Governor Clay, made before my arrival, and to the energy and talent of Major General Patterson, and the gentlemen of his staff, much of the success which has attended my operations, it is but justice to say, is due.

To Colonel Hogan, General Woodward, and Captain Walker, who commanded the Indian warriors, as well as to the chiefs Opoth Yoholo, Tucabatchee Mico, Jim Boy, and Tucabatchee Hadjo, I am under great obligation; they all deserve the notice of the Government.

The censures passed upon me by General Scott have, I understand from him, been recalled, and his letters to the War Department withdrawn; had this not been done, my personal feelings should not have influenced my public conduct. Having no object in view but the public good, I should have co-operated with him, as I shall now co-operate, most heartily in the consummation of all his plans. But, if a single doubt remains on the mind of the President, or on your mind, as to the entire propriety and necessity of my course, I owe it to myself as well as to my children to ask for an immediate investigation.

I have the honor to be, with high consideration and respect, your obedient servant,

T. S. JESUP, Major General.

The Hon. LEWIS CASS, Secretary of War, Washington city.

No. 241.

HEADQUARTERS, ARMY OF THE SOUTH,
Camp Sanford, opposite to Roanoke, June 26, 1836.

SIR: I have received your two letters of the 24th and 25th instant, and write by the return express who brought me the letters.

I think with you it is time to seize Neo Mico, and disarm his party, and I also highly approve of your proposition to establish stockades on the post road between Columbus and Tuskegee, for the deposit of subsistence for men and horses. I shall give instructions henceforth for the next boat that may ascend the river to leave some rations and corn at this place, and to deposite one-half of the remainder at Bryant's landing, Colonel Henderson's post, and the other at Fort Mitchell, provided that the boat can ascend so high, or a boat of a smaller draught of water should offer for transshipment.

I think it desirable, under any circumstances, that a part of the Alabamians should be retained, say a detachment of mounted men, to escort, in conjunction with a portion of the regulars, the Indian prisoners as far as the dense settlements of Alabama, whence the Indians may be escorted to the Mississippi or Montgomery, for embarkation, by the regulars alone. The remainder of the Alabamians you may honorably discharge, (and their good conduct deserves it,) as soon as you may deem it prudent to do so, retaining the friendly Indians as auxiliaries. But the information received in this vicinity, and from Fort Twiggs, by express to-day, represent the outstanding hostile Indians as not contemptible in number. A party of four or five hundred, including women and children, were, but a few days ago, between the north and middle forks of the Cowaggee creek; and to-day I learn, upon good evidence, that there was a considerable party opposite to Fort Twiggs yesterday.

Besides the Georgia line, which of itself is sufficient to scour this lower country and rid it of the enemy, although his numbers were more numerous than estimated above, I have just learned that Brigadier General Moore, with some 700 or 800 troops, crossed the main Cowaggee creek to-day, to operate north of all the branches, or between the upper and middle. This is just the direction I was about to give the Georgians and regulars, who have crossed or will cross the Chattahoochie in the morning. I have written to General Moore, requesting him earnestly (I believe that he has not been mustered into the service of the United States) to recross that creek, and to extend his forces well to the west below the south fork. I shall probably see him in the morning. If he should not comply, I shall be much thwarted, and a portion of the enemy may escape below.

I had yesterday undoubted evidence that some forty or sixty Indians, including women and children, had crossed the Chattahoochie one or two days before, three miles below Roanoke, notwithstanding the detachments posted to guard the river above and below. I immediately despatched two parties of horse in pursuit, (the trails pointed towards Florida,) and hope to hear good news from them in a few days.

I should not have crossed into Alabama above the Cowaggee but for the certainty that I thought I had that General Moore, to whom I had written, was still at or near Irwinton. All the branches of the Cowag-

gee I have ascertained to be more difficult to pass and to scour than I represented to you a few days ago.

Organize emigrating parties as soon as the contractors shall be ready to take charge of them, and as soon as you can furnish the proper escorts. The two companies of regulars under Major McClintock, and the next detachment, commanded by Major Dearborn, are at your disposition for that service. Before, however, sending off the prisoners, I wish you to make inquiries of his excellency Governor Schley, whether there be any individuals among them who are amenable to the penal laws of Georgia. If there be any such, you will turn them over to the authorities of that State.

I remain, with great respect, your most obedient servant,

WINFIELD SCOTT.

Major General JESUP, U. S. A.,
Commanding, &c.

P. S. I wish you to stop the Tennesseans, marching to take post against the hostile Creeks at some suitable place in respect to subsistence, to await further orders.

W. S.

No. 242.

HEADQUARTERS, FORT MITCHELL,

June 28, 1836.

GENERAL: Having observed in the Globe of the 20th instant an order directing all officers of the second regiment of dragoons to join their regiment for the recruiting service, I must ask the favor of you to represent to the General and the Secretary of War my extreme desire that Captain Lane be allowed to remain with me until the operations in this quarter be brought to a close. I consider the war over, if ordinary prudence and energy mark our future progress; but there is much to be done before the body of the Greeks be removed; and Captain Lane has that acquaintance with the duties, in detail, with which I am charged, that I could not, without great inconvenience, dispense with his services. It is the more necessary that he remain, as Captain Parrott's services are required in his own department, and he necessarily leaves me in a day or two.

I hope to hear from you on this subject by the return mail.

I have the honor to be, most respectfully, your obedient servant,

TH. S. JESUP,

Major General commanding.

Brigadier General R. JONES,
Adjutant General, Washington city.

No. 243.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 2, 1836.

SIR: Since my last letter I have been down the river to organize the service as low as Irwinton, and to put the disposable force of Georgia,

after nearly doubling the guards on the left bank of this river, handsomely in the field. I am now but just emerged from the creeks and swamps to the south and southwest. The Georgians moved in two columns, with three small battalions of United States artillery, under Majors Pierce, Lomax, and Erving. I retained the immediate command of one of those columns, and gave the other to Major General Sanford. The two amounted to about 1,200 men. We moved with pack-horses, the country being so deluged with rain that no wagon could accompany either column. I shall be back at Roanoke to-night, (by means of a steamboat,) where I shall receive General Sanford's report. I saw no recent trail of more than two or three Indians, who were directed towards this place or Tuskegee, no doubt for the purpose of surrender. One hostile warrior only we picked up, who declared that he was going in to give himself up.

The number of hostile warriors now here in confinement is about 480, most of them with their families. The whole number of prisoners at Tuskegee, the Alabama and friendly Indian camps west of this, Major General Jesup is unable to give me with accuracy. He thinks there might have been yesterday about 350 warriors at the three places, besides women and children, and the party of Neah Mico, 150, whom I desired him some days ago to cause to be disarmed. This service will probably be performed to-day. I enclose a note from Major General Patterson to Major General Jesup, which shows that 100 warriors may be added to the foregoing number, including a noted leader, Jim Henry.

I received yesterday a letter from Colonel Henderson, who is engaged in erecting a shed, &c. on this side of the river, at the head of the summer navigation, for the reception of army supplies from New Orleans. It contains this paragraph: "I am led to believe that the position you directed my command to occupy has been productive of important results. The day after the expedition of our two companies and part of Captain Love's troop, 250 of the hostile Indians, men, women, &c., belonging to Jim Henry's band, surrendered to General Watson, without firing a gun."

I am afraid that Colonel Henderson has written this upon an unfounded report. He does not state where those prisoners are; and General Watson has not taken them to Columbus, or we should know it here. The latter has a farm in the neighborhood of Colonel Henderson, resides in Columbus, and has written to no one at this place on the subject. The transaction, if it occurred at all, took place on the 26th ultimo.

It is now thought by the best informed that there cannot be in the Creek country more than from forty to sixty hostile warriors. Some of these have sent word that they will soon be here, and are probably only delayed by the swell in the Uchee creek, which renders it difficult to pass.

The contractors for removing the Indians west of the Mississippi having reported themselves in readiness, about 1,900, including families, will be put in march, under a suitable escort, as soon as the creeks shall have subsided. A detachment of regulars is now engaged in repairing the bridges across the two Uchees, on the old Federal road, to save time.

A few minutes after my arrival at Roanoke, 15 miles above Irwinton, on the 25th ultimo, two Indian trails leading to Florida were reported to me—one three and a half, the other one and a half miles below me, and respectively one and two days old. Not a minute was lost in organizing

two detachments of horse to give pursuit. I have a note from Colonel Beall, who commanded one of the detachments, (three companies and six friendly Indians, with subsistence for four days,) from which I am afraid he halted at Fort Gaines, and, hearing that the fugitives were killing the inhabitants of Baker county, contented himself with sending 30 men to their assistance, instead of marching with his whole force, about 175 men. His note is inexplicable, and I trust I shall not find him as criminal as that would represent him. He was instructed specially and minutely, in a letter written with my own hand, never to give up the pursuit till stopped by starvation. I have better hopes of the other detachment, commanded by an excellent partisan, Captain Jernigan. No report is received from him. It was expected, however, that the two trails would unite, and the two detachments become one. I think that no other party has got across the river, and such are now the numbers (since the Georgians got their arms) and the vigilance displayed on the other side, that it would seem impossible for emigrating parties to escape to Florida.

I believe there has hardly been a sharp skirmish on this side of the river, whilst there have been many hot rencontres on the Georgia bank. The latter were made by the more desperate of the enemy, and in every instance, probably, to cover the passage of families endeavoring to emigrate to Florida, or to capture the horses, provisions, &c., necessary to facilitate emigration. Partial successes were obtained by the enemy in several of those affairs. In others they were repulsed; and in all it was seen that, to escape with families, packs, &c., it would be extremely hazardous. Consequently the Hitchitees have generally sent in or abandoned their families, and with a few individuals of other tribes have, by some extraordinary neglect at and below Roanoke, succeeded in getting over the Chattahoochie.

The general surrender, in most cases voluntary, of the enemy, may be attributed to many movements and arrangements on our part. It was known that large forces were gathering all around the country; the river was early pretty well guarded by the Georgians, aided by two well-manned steamers cruising up and down. One of these destroyed many canoes, rafts, &c. Major General Sanford crossed the bridge at Columbus, and took up his camp four miles farther early in June; and although he had about 2,000 unarmed men, with but 400 armed, the enemy thought all Georgia was pouring into their country. About the same time Major General Jesup made his entry into the heart of the nation, with a large force of Alabamians and friendly Indians. This latter movement precipitated and favored a general surrender.

I shall necessarily be absent from this place, after a few minutes, to complete arrangements below, for two days. As it is the centre of correspondence and business, I shall return at the end of that time.

Brigadier General Moore, of this State, whose basis of operations has been at Irwinton, is placed by my order below the south branch of the Cowagee, extending himself far to the right and left. I shall instruct him to send a company of horse or two as far to the southwest as Pea river. He appears, from his movements and correspondence, to be an officer of much merit. His force, mostly mounted, consists of about 1,300 men.

I shall direct Major General Sanford to keep out small detachments

on the branches of the Cowaggee and on the Hatchechubby, to precipitate the surrender of the small parties of the enemy yet out. General Jesup will take measures of a similar character on the upper parts of those streams which are nearer to his depots at Tuskegee, &c.

I have twice written to the Governor of Florida in great detail. The copy of my last letter is herewith enclosed, and I would send a copy of the other but that I am separated from my books and papers.

A copy of an order is enclosed, respecting the West Tennesseans.

I have directed Major General Jesup to post two small battalions of artillery (here) in positions on the post road from Columbus to Tuskegee. This will be done in a few days, and I have caused the agent of the General Post Office to be advised of the directions.

On my return to this place I shall open a correspondence with Brigadier General Wool, and hope soon to be able to spare him the detachment of the United States marines, and some companies of Georgia and Alabama volunteers, should they be needed in the Cherokee country.

General Jesup never received the Secretary's original letter to him, dated the 25th of May, and addressed to Milledgeville. The copy that I received last night was immediately shown to him.

I have the honor to be, with great respect, your most obedient servant,
WINFIELD SCOTT.

Brigadier General JONES,
Adjutant General United States Army.

No. 244.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 1, 1836.

SIR: Major General Jesup has just turned over to me the letter of your excellency to him of the 25th ultimo.

The War Department, as I perceive by the copy of a letter to Brigadier General Wool, has charged him with certain duties in the Cherokee country, and has placed the Tennessee troops under his command. They were to rendezvous at Athens on the 7th instant, and it is possible (though not probable) that, under the instructions of the Department, I may have to reinforce him from this quarter.

My last information from the Cherokees (which is not recent) represented them as inclined to be quiet.

In my letter to you, dated some ten or fifteen days ago, (my books and papers are not at hand,) I reported that his excellency Governor Schley had been obliged to pledge himself to the Georgia volunteers and draughts now in the field that they should not be sent to Florida, except in the hot pursuit of the Creeks, to induce those troops to be mustered in the service of the United States. Major General Jesup, who is in the immediate command of the Alabamians, informs me that he was obliged, under the same circumstance, to make the like pledge to the latter.

Should I be obliged to reinforce Brigadier General Wool, I shall send him a portion of the regulars and some part of the Georgians from the upper country. The remainder of the regulars and United States marines cannot fail to be wanted to escort the hostile Indians who have sur

rendered themselves, and to wind up the war in this quarter, until late in the summer.

Of the hostile Creek warriors, we have here about four hundred and seventy. A part of them have been captured, but the greater number, seeing that they would be inevitably crushed, voluntarily surrendered. How many may be at Tuskegee, under like circumstances, I may not learn in a day or two. This war, however, is believed to be virtually over. Yet there are, doubtless, many small parties yet to come in, or to be subdued. Two, making about sixty individuals, succeeded in getting across the Chattahoochie, between two of our posts, at and below Roanoke, on the 23d und 24th ultimo. From that place, the instant that the trails were observed, I despatched two parties of horse in pursuit. Having just emerged from the woods to the southwest of this, I have received no report from those expeditions, but have no doubt, from the strength and character of the pursuing detachments, that the fugitives have been overtaken and captured or killed. I have every reason to believe that not five other Creeks have escaped towards Florida, and, from the means now employed, it seems almost impossible for another individual to follow. I have more than doubled the forces on the Georgia bank of this river, and steamboats are daily passing up and down.

I have the honor to remain, with high respect, your excellency's most obedient servant,

WINFIELD SCOTT.

His Excellency R. K. CALL,
Governor of Florida.

P. S.—I have just heard from the prisoners here, that, if the fugitives who crossed this river should not be overtaken, their object will be to take up a temporary residence in the Opeekeenokee swamp.

2d P. S.—I have this moment received a letter from the Secretary of War requesting me to send you one thousand of the West Tennessee brigade, (at least,) should you not be likely to raise a similar force in Florida. This is the first notice I have had of Western and Eastern brigades being ordered from that State. The latter is designated to act under General Wool. I shall immediately send orders to the Western corps to despatch one thousand men, by a route that I shall give them, and order them to report to you for (at) Tallahassee. This brigade we have unofficially heard of before, and, by my desire, Major General Jesup wrote to the quartermaster at Montgomery to cause it to halt, if coming in that direction, in some place where it could be conveniently subsisted, and to await further orders.

My intention, then, was to hold in reserve for events in the Creek and Cherokee countries. I am now satisfied that it will not be required in either of those quarters.

I am also directed by the Secretary to send you one or more steamboats from the three ordered to be armed and manned by the navy commander at Pensacola, for this river. I am inclined to believe that but one has been purchased at New Orleans, and sent for those purposes to Commodore Dallas. Should she arrive here, I shall send her immediately back to you; and I beg your excellency, if there be any other boat at Pensacola, to take her into the service of Florida.

WINFIELD SCOTT.

No. 245.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 1, 1836.

SIR: Major General Jesup has just turned over to me your letter of the 10th ultimo, which probably came to him at this place *via* Montgomery.

I have now employed, partly in cruising and partly in transporting army supplies, four small steamboats belonging to this river; and there are two others, not specially hired, that bring up stores from St. Joseph's.

I heard, a week ago, that a steamer purchased by the United States for the purpose of cruising up and down this river, had gone from New Orleans to Pensacola, to be armed and manned by the United States, under your orders. This boat may now be daily expected below, and I shall send her instructions (to Irwinton) for her government. The war against the hostile Creeks is supposed to be virtually over. Nevertheless, there are several hostile parties which have not surrendered themselves, and who are seeking opportunities to escape across the Chattahoochie towards Florida. The boat last mentioned will be highly useful in observing the river, and giving prompt intelligence to the posts on the Georgia side, in case any such party should succeed in crossing.

The zeal and promptitude which have uniformly been displayed by yourself and officers, in co-operating with the land service, deserves a higher commendation than any that I could bestow.

I shall, therefore, subscribe myself, with the highest respect,
 WINFIELD SCOTT.

Commodore A. J. DALLAS,
Commanding, &c.

P. S.—If a second or third steamer should arrive at Pensacola, to be armed and manned for this river, please report them (or the one) to Governor Call for his orders.

W. S.

No. 246.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 2, 1836.

SIR: The enclosed order is issued in conformity with express instructions from the War Department. As brigadier general, you may either accompany the detachment to Florida, or send the officer next in rank to command it.

I remain, sir, respectfully, your most obedient servant,
 WINFIELD SCOTT.

BRIGADIER GENERAL of the *West Tennessee Brigade*,
expected at Montgomery.

No. 247.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 2, 1836.

ORDERS No. 22.

A brigade of West Tennessee mounted volunteers or militia may soon be expected to arrive at Montgomery. It will probably be at Shelbyville about the 8th instant. On its arrival at Montgomery, Major Brandt will muster it into the service of the United States for three months, unless sooner discharged.

One thousand men of this brigade, with the proper officers, will, without delay, take up the line of march, by the best practicable route, for Tallahassee, in Florida, in order to place themselves under the order of his excellency Governor Call.

The remainder of the brigade will remain in position, in the neighborhood of Montgomery, until further orders.

Before the arrival of those troops at Montgomery, Major Brandt will ascertain the best route to Tallahassee, so as to be able to advise the commander of the detachment destined to Florida, to whom he will give all the aid and assistance that may be required of the quartermaster's department.

WINFIELD SCOTT.

By command :

THOMAS J. LEE,
Lieut. 4th U. S. Art'y, Aid-de-camp.

No. 248.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 4, 1836.

SIR: I have this moment returned here from Roanoke below, where, I think, I have so arranged the service with Major General Sanford, of the Georgia line, and Brigadier General Moore, at the head of an Alabama brigade, as to secure the remaining objects to be accomplished in those directions in this war.

No official report had been received up to the time of my leaving Roanoke, from Colonel Beall and Captain Jernigan, who commanded the two detachments of horse, sent by me, on the 25th ultimo, in pursuit of the parties of Indians who had crossed the Chattahoochie on the 23d and 24th. I know, however, through respectable channels, that the two detachments had overtaken the Indians about the 28th, in Baker county, and had surrounded the latter in a large swamp. The fugitives probably do not exceed sixty warriors, although represented by rumor to amount to more than three hundred. Colonel Beall, I again hope, will give a good account of them. He was collecting the forces of the neighborhood to make sure of his game. By a singular mistake, into which I was led by a letter supposed to be from this officer, but which was written by another, I did him great injustice in my last report of events in this quar-

ter. I hope soon to be able, officially, to speak of him with all the praise due to success.

Parties will be continually kept scouring the Indian country to force in the handfuls of the enemy remaining out. Major General Jesup and Sanford, as well as Brigadier General Moore, have my instructions to that effect. The former, after a detention here of ten or twelve days, proceeded last evening to the headquarters of Major General Patterson to the West.

Yesterday a party of United States marines, a few mounted volunteers and friendly Indians, scoured the country between the Euchee and Hatchechubby thoroughly, and to the extent of about twelve miles up those creeks. Coming up last night in a steamboat, I learned from Colonel Henderson, at his camp, that sixteen women, boys, and children, were captured on the Chattahoochie—the warriors of the same party having escaped across the river, abandoning their families. I immediately sent off an express to give the intelligence to all the posts as low as Roanoke, with precise instructions for discovering the trail and pursuing. I do not doubt that two or three companies of horse were in motion by day-light this morning, in pursuit of the fugitives.

I have not time to add more, nor have I any thing material to add, except that the armed steamer, the American, from Pensacola, is above, and that I shall immediately order her to Florida, to report to Governor Call; and that I shall, to-morrow, send off Colonel Broome, (a volunteer,) of the marine corps, with a communication addressed to Brigadier General Wool.

With high respect, I remain your most obedient servant,

WINFIELD SCOTT.

P. S.—General Scott, who is much occupied at this moment, desires me to add that his objects in sending Colonel Broome to General Wool are to learn the state of things in the Cherokee country, and to say to General Wool that, probably, the detachment of United States marines (about four hundred) and some companies of Georgia and Alabama volunteers, may soon be spared from this quarter, to reinforce the Cherokee army, should they be required.

Most respectfully, your obedient servant,

A. H. KENAN,

Aid-de-camp.

Brigadier General JONES,

Adjutant General, U. S. A.

No. 249.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, July 6, 1836.

SIR : I came up from Fort Mitchell last evening, on business with his excellency Governor Schley, and shall return this evening.

I have had no report from Major General Jesup since he left Fort Mitchell to join the Alabamians, twenty-two miles west, on the 3d instant.

By a letter just received from Colonel Beall, I learn that he has the party of Indians he was sent in pursuit of shut up in a large swamp, in Baker county, about one hundred and ten miles below this, and a little southeast of Fort Gaines. He has had several affairs with that party—killed nine and wounded many more. The swamp being long and deep, he has called for reinforcements, and I am in the act of sending off in two steamboats, which will probably ascend the Flint river some twenty or forty miles, about one hundred and sixty foot volunteers, and forty friendly Indians, to him. The Indians in the swamp, who may amount to about one hundred and fifty warriors, are supposed to have with them, not only nearly all the Creek slaves, but most of the blacks taken in the war from our people.

I think it impossible for the hostile fugitives to escape. Below the swamp, towards Florida, there is a wide tract of open pine-wood country, and Colonel Beall will have, by to-night, about four hundred volunteer horse with him, besides many individual volunteers of Baker county.

I send copies of letters addressed by me to Brigadier General Moore, and Lieutenant Johnson of the navy. It seems, however, that I have not brought with me the copy of my communication to Brigadier General Wool, which was despatched from this place yesterday morning. [Perhaps it was sent by my aid-de-camp with a previous letter to you; I shall inquire on my return to Fort Mitchell.]

In that letter I gave him a statement of affairs in this quarter, and said that I should probably be able to send him, if needed, the detachment of United States marines, and some companies (belonging to the upper country of Georgia and Alabama) of volunteers.

I have no report from the parties of horse ordered to pursue the sixteen hostile Creeks, who got across the Chattahoochie, on the 3d instant, eighteen miles below this. This party of fugitives cannot escape.

In haste, I remain, with great respect, your most obedient servant,
WINFIELD SCOTT.

Brig. Gen. JONES, *Adj. Gen. U. S. A.*

No. 250.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 4, 1836.

SIR: I addressed a letter to you yesterday, from Roanoke, and despatched it by a party of Georgia horse.

That letter was, in great haste, an answer, by anticipation, to yours of the 2d instant, which I had the pleasure of receiving this morning by the hands of Major Huger.

If the outstanding hostile parties of Creek Indians can be captured or forced to come in and to surrender in eight or ten days, (and I think they may by great activity on the — of the Georgia and Alabama volunteers,) it will give me great pleasure to have all the volunteers discharged at the end of that time. But little remains to be accomplished, and the mounted troops are the best calculated to perform what remains to be done. I therefore (and I think you will concur with me) adhere to the opinion expressed to you in my letter of yesterday.

I have made many suggestions to Major Huger, which he will communicate to you, respecting, among other things, the payment of your brigade on its discharge from the service.

I remain, sir, with high respect, your most obedient servant,

WINFIELD SCOTT.

Brig. Gen. MOORE, *Com'g brigade Alab. volunteers.*

No. 251.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 5, 1836.

SIR: I should be glad to avail myself of the services of the armed steamer under your command, for a week or two on this river; but, apprehending that she will be still more important to his excellency Governor Call, in the prosecution of the war against the Seminole Indians, I have to request that you will repair to St. Mark's in her, and report yourself to him.

In descending this river, I wish you to stop at Colonel Henderson's post, a few miles below this, and bring up the detachment of United States marines under his command, or so much of it as your boat can conveniently accommodate, to Fort Mitchell.

If, in descending this river, you should discover any party of hostile Creek Indians crossing, I need not say that you will do what you can to capture or destroy them; but I will beg you to give the promptest information of the movement to the nearest military post, that pursuit may be made by land without delay.

I do not know that any other armed steamer may be expected in this river from Pensacola; should you, however, meet with one, you will direct her to accompany you to St. Mark's, and report her for service as above. If you should speak another, please let her proceed to report to me, or rather send to me the boat of the lightest draught of water of the two. She may be highly useful if here in the next two weeks.

Wishing you a prosperous return to Florida, I remain, sir, with great respect, your obedient servant,

WINFIELD SCOTT.

Lieutenant JOHNSON, *U. S. Navy,*

Commanding the armed steamer the American.

No. 252.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 5, 1836.

SIR: I have the honor to report, by direction of Major General Scott, that, owing to the position of the troops, and their having been continually in motion, it has been impossible to obtain a correct return of the force under his command.

As an approximation, there are, of United States artillery, at and about

this post, 547, and 156 of infantry; about 400 United States marines eight miles below; 4,155 of the Georgia line at and between Columbus and Roanoke, including the three companies of mounted volunteers, detached in the direction of Baker county, in this State, and about 600 Georgians at West Point, twenty-five miles above Columbus, on this river. Major General Patterson's command of Alabamians, at and about Tuskegee, consists of about 3,000 men, and Brigadier General Moore's brigade south of the Cowaggee of about 1,300 men—making in all an aggregate of 10,158; of whom, 1,103 are regulars, 4,755 Georgians, and 4,300 Alabamians.

A return of this force will be forwarded as soon as the necessary information can be obtained.

I am, sir, with great respect, your obedient servant,

THOMAS J. LEE,

Lieut. 4th Artillery, Aid-de-camp.

Brig. Gen. JONES, *Adjutant General.*

Recapitulation of force serving in the Creek campaign under Major General Scott, in June—taken from the annexed official statement, dated Fort Mitchell, July 5, 1836.

RECAPITULATION.

	Total regulars.	Total militia.	Aggregate regulars and militia.
REGULARS.			
Artillery - - - - -	547	-	547
Infantry - - - - -	156	-	156
Marines - - - - -	400	-	400
MILITIA.			
Georgia line - - - - -	-	4,155	4,155
Georgians - - - - -	-	600	600
Alabamians - - - - -	-	4,300	4,300
Aggregate regulars and militia -	1,103	9,055	10,158

ADJUTANT GENERAL'S OFFICE,

Washington, July 18, 1836.

No. 253.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 4, 1836.

SIR: I have received a copy of your instructions from the War Department, and been directed to open a communication with you. Lieut.

Colonel Broome, of the United States marines, from the mere impulse of patriotism, has volunteered to bear this, my first letter. It will probably be agreeable to him to bring me your reply.

I think it probable that you will find the Cherokees very generally disposed to observe the relations of amity with our people about them. My latest information is to that effect, and I have not the time to refer to his excellency Governor Schley, now at Columbus, for better and more recent intelligence. It is my belief, however, that some, if not many of the hostile Creeks, have taken refuge among the Cherokees; and had you not been specially charged with representing the United States in that quarter, I should have inquired, at the proper time, into this matter, and have marched against the Cherokees, if every fugitive had not been delivered over to my orders. As it is, I can only call your attention to the subject.

By far the greater number of hostile Creek warriors have voluntarily and unconditionally surrendered themselves; another portion has been captured without resistance; and the remainder, probably less than two hundred, are yet to be captured or forced in. Some of the latter, we know, have crossed the river in the hope of finding their way into Florida. I have, in two or three cases, despatched strong parties of horse in pursuit, with, I think, good hopes of success; and I shall constantly scour the country lately occupied by them, in search of the handfuls who are lurking in the swamps, for concealment, or watching opportunities to get off to Florida. These employments occupy a very large number of troops: for example, the left bank of the Chattahoochie, for more than forty miles, is kept lined with Georgia mounted men; an Alabama brigade, consisting mostly of the same kind of troops, is kept extended from east to west, a little above Irwinton. Scouring parties are kept constantly out, between this place and that line, and two or three small battalions of regulars are immediately to take positions on the great mail road between Columbus and Montgomery, in order to restore the communication between those places. Besides the troops so employed, detachments of regulars are needed to escort the Indian prisoners and emigrants, at least as far as Montgomery, if not all the way to Arkansas. The West Tennesseans have not arrived at Montgomery. A thousand of these, by direction of the War Department, I have ordered to Florida. The remainder will be held, for a short time, in reserve.

Notwithstanding all the calls for troops, and which will be continued perhaps for ten or twenty days more, (some of them for a much longer period,) I shall, I do not doubt, very soon be able to send you very efficient reinforcement: about 400 United States marines certainly; 2. Some three or four companies of volunteers from Georgia, and as many from Alabama, (all from the neighborhood of the Cherokees,) probably; and, 3. The remainder of the West Tennessee brigade, to be held in reserve, near Montgomery, pretty certainly.

I have requested Lieut. Col. Broome, whom I have pleasure in presenting to you, to get, in going and returning, the best information as to the routes leading to the Cherokee country, the means of subsistence, &c.

I remain, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General Wool,

U. S. A., commanding, &c.

No. 254.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mitchell, July 6, 1836.

SIR : With the effective men of your battalion, which has so handsomely volunteered for the service, you will, on board the *Metamora* and *Reindeer*, embark without delay, and proceed by water and land to that part of the Chickasahatchee swamp, where Colonel Beall, of the Georgia volunteers, is now operating against a party of hostile Creek Indians, who have been pursued to that fastness. In preference you will approach the swamp from *below*, unless the position of Colonel Beall and his forces should take you in a different direction in order to join him ; of course you will report yourself to him and receive his orders.

At or before your arrival at Fort Gaines, you will inquire and satisfy yourself as to the best route of reaching the theatre of operations in the shortest time. Perhaps the information you may receive will lead you to debark your detachment on the *Chattahoochie*, and thence proceed by land ; but, more probably, you will find it best to ascend the *Flint* river, as high as practicable, and thence to march to the theatre of operations.

You are at liberty to employ a few wagons from the point of landing, sufficient to take your surplus provisions and ammunition ; a portion of which, no doubt, is much needed by the troops already with Colonel Beall.

If you can find the means of communicating to Colonel Beall (or commanding officer) *by express*, the route by which you are approaching him, you will not fail to do so. Inform him of the surplus stores you may have with you.

I leave it to your discretion to retain the two steamboats for your return, directing them to meet you at such point as you may designate. The boats may also be needed to bring up all the sick and wounded of the detachments now engaged with the Indians in that quarter.

Wishing you and your gallant battalion success, and fully persuaded that every thing will be done to ensure success,

I remain, sir, with great respect, your obedient servant,

WINFIELD SCOTT.

I have directed the medical director of the army, Dr. *Lawson*, in concurrence with your surgeon, to have a good supply of medicines and hospital stores to be put on board your two boats.

I have sent *Paddy Carr* to you, to say I have directed him to have ready immediately a party of thirty or forty of his best Indian warriors to accompany you. He will be obliged to obtain a part of them at Fort Mitchell. Please direct one of your boats to stop there a short time to get those warriors. Keep the whole of *Paddy's* party with your battalion, unless otherwise ordered by Colonel Beall, and please subsist and treat them kindly ; they have heretofore behaved well.

W. S.

To Major *Hoxie*,*Com'g Columbus volunteers, Columbus.*

No. 255.

HEADQUARTERS OF THE ARMY,
Washington, June 25, 1836.

SIR: It is represented to the War Department that a large force of hostile Creek Indians will probably make their way into Florida, and, in consequence, the Secretary deems it very important that a strong force should be stationed so as to prevent the escape of the Creeks in that direction; it is, therefore, the order of the Secretary of War that you station a sufficient force so as to prevent them making their escape and taking that direction.

I have the honor to be, sir, very respectfully, your obedient servant,
 ALEX. MACOMB,
Major General, commanding in chief.

To Major General Scott.

No. 256.

HEADQUARTERS OF THE ARMY,
Washington, June 28, 1836.

SIR: I have received, through the Secretary of War, the order of the President to call you to the seat of Government. You will, therefore, on the receipt of this letter, turn over to Brevet Major General Jesup the command of the troops serving against the hostile Creeks, and repair to the city of Washington.

I have the honor to be, very respectfully, sir, your most obedient servant,

ALEX. MACOMB,
Major General, commanding in chief.

To Major General WINFIELD SCOTT,
Fort Mitchell, Alabama.

No. 257.

HEADQUARTERS OF THE ARMY,
Washington, June 28, 1836.

SIR: Major General Scott having been ordered to the seat of Government, the command of the troops serving against the hostile Creeks is, by direction of the President, hereby vested in you. The instructions which you received from the War Department, on leaving Washington for the Creek nation, will be your guide in executing the important duties which are hereby again devolved on you.

I have the honor to be, very respectfully, sir, your obedient servant,
 ALEX. MACOMB,

Major General, commanding in chief.

Major General JESUP,
Fort Mitchell.

No. 258.

COLUMBUS, (GEORGIA,) July 8, 1836.

SIR: Late in the evening of the 6th instant, I had the honor to receive your letter of the 28th ultimo, and one of the same date from the Adjutant General. I had transacted much business that day, besides issuing the orders, copies of which will be enclosed to the Adjutant General.

Yesterday I wrote and despatched to Major General Jesup the order turning over the command to him, and have confined myself to the mere business of advising with Major General Sanford, Brigadier General Fenwick, the quartermaster and commissary, (to prevent the public service from suffering, Major General Jesup being at a distance from this place,) since the receipt of the letter recalling me.

To put my successor fully in possession of every thing material to his station, I have carefully looked over my books and papers, and caused copies of a great many papers to be made out for him, which will be transmitted.

Many other copies of papers will be transmitted to the Adjutant General to-day, by Lieutenant Lee, my late aid-de-camp.

I set out this morning for the North, in order to reach Charleston this day week, to take the steamboat of that day for Norfolk, and shall lose no time in presenting myself at Washington.

I have the honor to be, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Major General MACOMB,
General-in-chief U. S. A.

No. 259.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, July 7, 1836.

ORDER No. 29.

Major General Scott has been called to Washington, and the command of this army devolves, from the publication of this Order, on Major General Jesup, to whom, in future, all reports and applications will be made.

The Creek war, though yet to be wound up, may be considered as virtually over. Two parties of the hostile Indians, which have escaped to this side of the Chattahoochie, are now hotly pursued. The larger of those parties is shut up in a swamp, and, from the strength of Colonel Beall's detachment, that under Captain Jernigan, and the reinforcement sent hence under Major Hoxie, a capture of the whole body of the fugitives seems to be inevitable. The other hostile party will, probably, from the measures in operation, share the same fate. In the late Creek country, the number of the enemy to be captured or forced to surrender is considered quite inconsiderable.

Major General Scott regrets that, from the suddenness of his separation from the army, the opportunity is lost to him of doing that full justice to

all the corps he has had the honor to command, which their patriotism, zeal, and gallantry claim at his hands, and indeed from the highest sources—the Government and country.

To his excellency the Governor of Georgia, who has remained on the frontier in order to lend himself in every way powerfully to the prosecution of the war, the particular thanks of Major General Scott are due. Before the Georgia line could be mustered into the service of the United States, his excellency had made dispositions of his armed troops, not only to protect his own frontier, but to prevent the escape of the enemy in the direction of Florida. This was the great danger to be guarded against; and all that zeal and ability could effect on his part has been put in practice and accomplished. It is hoped that this slight acknowledgment made to the Chief Magistrate of a powerful and patriotic State may not be deemed impertinent, because coming from a military functionary of the United States. It is eminently deserved. Of the Georgia line, which has constantly acted under the immediate observation of Major General Scott, he will ever be happy to speak in terms of the highest approbation. That line has, under its immediate and able commander, Major General Sanford, throughout evinced the best dispositions—a readiness to obey orders, to march against the enemy, and to win honor for itself, for Georgia, and the Union. The greater part of it, for a long time, was held inactive for the want of arms, which, by a series of strange accidents, failed to arrive, whilst other portions of the same line, in positions on the river, had frequent and severe combats with the enemy. In these, if the Georgian detachments were not always successful, they at least were ready to oppose an obstinate resistance to superior numbers. Captains Garmany, Jernigan, Ball, and Fluellan, with their companies, won for themselves much distinction on those occasions; whilst Captains Dawson and Pierson, cruising with their companies on board steamboats, rendered highly valuable services. Captain Dawson, on several occasions, displayed the greatest judgment and intrepidity in marching to the relief of the fixed posts, and landing in the presence of the enemy, in order to destroy his means of passing the river.

Of the Alabama line, with the exception of Brigadier General Moore's brigade, Major General Scott cannot speak, either from his own observation or on a direct correspondence. Major General Jesup, himself an able commander and a competent judge, in his reports speaks highly of Major General Patterson and his division; and it is directly known that Brigadier General Moore, placed on the lower line of operations, has, acting almost independently, made able dispositions of his brigade, and has captured more than two hundred prisoners.

To the regular troops, including the United States marines, the usual praise is due: they have exhibited steadiness, discipline, and an eager desire to come in contact with the enemy. Although disappointed in that favorite wish, they have, in all other respects, rendered themselves highly useful.

It is known that the friendly Indians, acting as auxiliaries under General Woodward and others, have rendered valuable services. To them a great number of the captures and voluntary surrenders are to be attributed.

With his temporary staff—Colonel Kenan, volunteer aid-de-camp; Major Ansart, acting inspector general, and Lieutenants T. J. Lee and

Betts, aids-de-camp; also Surgeon Dr. Lawson, medical director of the army—Major General Scott cannot take leave without expressing his hearty thanks for the zeal, ability, and courtesy which each has displayed in the performance of his particular duties.

Major Ansart, 3d artillery, having tendered the resignation of his commission, which will be forwarded to Washington, he has permission to repair to that place, after having performed the special duties in which he is now engaged, and await the decision of the Government.

Colonel Kenan, duly mustered into the service of the United States on the 1st ultimo, is hereby discharged with honor and thanks from that service.

Lieutenant T. J. Lee, at the expiration of a week, and Lieutenant Betts, at the expiration of a month, will join their respective companies for duty.

Surgeon Lawson will report by letter to Major General Jesup.

WINFIELD SCOTT.

No. 260.

HEADQUARTERS, EASTERN DEPARTMENT,

Washington, July 20, 1836.

SIR: For the information of the proper authority, I have the honor to enclose a copy of a letter, dated at Tuskegee the 7th instant, from Major General Jesup to me, and which contains important intelligence.

The letter was written before it was known to General Jesup that I had turned over the command of the army of the South to him, and overtook me at Charleston, South Carolina.

I remain, sir, with great respect, your most obedient servant,

WINFIELD SCOTT.

Brigadier General Jones,

Adjutant General U. S. A.

P. S. As early as the 26th ultimo I requested Major General Jesup to have Neah Mico and his band disarmed and secured.

W. S.

No. 261.

HEADQUARTERS, 2D ARMY CORPS, SOUTHERN ARMY,

Tuskegee, July 7, 1836.

SIR: I arrived here yesterday with the volunteers of General Patterson's command, and expected to start a party of four hundred Indians; but at least a thousand of Neah Mico's party went off yesterday and last night, and have proceeded up the country to Tuckabatche Hajo's camp, or town, in Chambers county. I shall send the mounted men in pursuit to-morrow.

If the marines can be spared, I request that they may be placed on the mail road from Columbus to Tuskegee, subject to my orders, say twelve

or fourteen miles from Columbus, at the stage-house. I will place a detachment about twelve miles from Tuskegee. Those posts established, an order or proclamation, directing all Indians to go north of the mail road, and confine themselves to their camps or villages, and declaring all to be hostile who shall be found south of it, or traversing any portion of the country north or south, and directing that they be treated as such, would have the effect to close the difficulties in this country.

The negotiation with Neo Mico has proved that the best argument with Indians is formed, not of words, but of powder and lead; and I have this moment informed the chief from whose camp Neo Mico's party has fled, that I shall use no other argument in future.

I enclose a letter from General Moore, referred to me by General Patterson.

I am, sir, respectfully,

TH. S. JESUP,
Major General.

Major General Scott,
commanding Southern army, Columbus, Georgia.

No. 262.

HEADQUARTERS, ARMY OF THE SOUTH,
Tuskegee, Ala., September 9, 1836.

SIR: I have just received from a friend a Richmond Enquirer of the 15th of July, which contains a report of General Scott, dated at Fort Mitchell on the 2d of July. In that report the General has stated, upon the authority of Colonel Henderson, that 250 Indians had surrendered to General Watson.

I enclose a copy of a letter from Colonel Henderson, and an extract from a letter of General Watson on the subject.

I have to request that this communication, with the papers enclosed, be laid before the Secretary of War and the General-in-chief; and, if General Scott has not corrected his report, I desire that they may be published.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,
Major General.

Brigadier General R. Jones,
Adjutant General U. S. army, Washington city.

Memorandum.

The only reply that I have to make to this letter is to request that the Court will refer to my letter, in evidence, to the Adjutant General, dated July 2 (document No. 243.)

WINFIELD SCOTT.

FREDERICKTOWN, MD., *January 19, 1837.*

HEADQUARTERS OF THE MARINE CORPS,
Tallahassee, August 30, 1836.

GENERAL: I have just received your letter of this date.

In the report made by me to General Scott, dated the 28th June, I was led by information driven from a lieutenant of Captain Love's company of mounted volunteers, to state to General Scott that two hundred and fifty Indians had surrendered to General Watson without firing a gun. The volunteer officer's statement was so distinct that I did not doubt its correctness.

A day or two afterwards, I ascertained that no such event had taken place; and meeting General Scott on board of a steamboat passing up the Chattahoochie, I told him in what manner I was led into the error. He mentioned at the time that he had seen General Watson, and had found that my statement was erroneous.

I remain, general, with great respect, your obedient servant,
ARCH. HENDERSON,
Colonel Commandant.

Major General THOMAS S. JESUP,
commanding Army of the South,
Headquarters, Tallassee.

Extract of a letter from General J. Watson, of Georgia, to Major General Jesup, commanding Army of the South, dated

TALLASSEE, August 30, 1836.

I was at the taking of no party of hostiles, except that of Jim Henry, some fifteen or twenty miles south of Fort Mitchell, where you were present yourself, and in command. I was with you without rank, as a volunteer private citizen.

With great respect, your obedient servant,

J. WATSON.

No. 263.

Remarks upon an editorial article headed "The Army," published in the Curier and Enquirer of the 26th of July, 1836.

The article is offensive in the language used, and incorrect in the statements presented, in reference to the difficulties between General Scott and General Jesup.

But for the injurious character of these misstatements, their correction might be left to the anticipated investigation, or to the voluntary action of General Scott, who will, it is hoped, indignantly contradict imputations upon a brother officer which he well knows to be untrue.

A brief sketch of the facts will at least suspend public opinion, until official inquiry shall exhibit a conclusive exposition of the questions in issue.

While there was yet a probability of bringing the Seminole war to a close, General Scott was directed to give his attention to the Creek difficulties. Some time after these difficulties grew more serious, and General Scott being deemed fully occupied by the, as yet, unchecked Seminoles, Major General Jesup was, on the 19th of May, specially charged with the direction of the Creek war.

He met at Augusta, Georgia, Major General Scott, who had left Florida, where much certainly remained to be done, to assume the command in the Creek country. General Jesup willingly consented to take the second place; proceeded with General Scott to Columbus, and thence to Tuskegee, Alabama, and assumed command, on the 9th of June, of the western or Alabama frontier, General Scott reserving to himself the immediate command of the eastern or Georgia frontier.

The editorial assertion that General Jesup, "as soon as HE FOUND that Scott had been ordered to conduct the war against the Creeks * * * determined * * * to procure the recall of his superior officer," is not merely incorrect in every particular, but the extreme reverse is truth.

So far from desiring the recall of General Scott, he willingly served under him; and next to his solicitude for the public service, was his anxious desire to enable an old brother in arms to recover in Alabama the military reputation lost in Florida.

Even in the heat and excitement of the collision with General Jesup, General Scott frankly recognised and acknowledged the chivalric courtesy and self-sacrificing spirit which had marked his conduct from the moment of their meeting at Augusta.

As the collision is at present purely official, it is to be regretted that the partisans of General Scott should render the discussion personal. For this error they will merit the censure of the distinguished individual they mean to serve.

Returning to the sketch of operations, we find General Scott's plan of campaign announced to be—

First. To man the south and southeast frontier, to prevent the Indians from passing to Florida.

Secondly. The first being accomplished, to unite the disposable forces at the south line and sweep northward through the Creek country.

As a preliminary part of this plan, General Jesup was directed to move southward to Irwinton, with such force as he should succeed in raising, and, there uniting with General Scott's forces, move northward.

The number of troops needed to sentinel this extended line of some hundred miles, the time required to raise, organize, equip, and station them, their probable inability when stationed to effect the object proposed, and the intervening unstayed progress of Indian barbarities, were considerations lost on none but General Scott.

It is unnecessary to examine this plan in detail.* Had all the means been in readiness, and had they been energetically and rapidly applied, it is possible that the result might have been successful. At it was, all felt its inapplicability.

The frequent alarms, the excited state of public feeling, the eager restlessness of the volunteer troops, and, above all, the devastations daily reported, called imperatively for immediate and effective action.

* General Jesup was understood to disapprove THE DELAY in executing the plan, not the plan itself.

The mode of operations kept in view by General Jesup was, to strike the enemy at once, to check barbarities upon the whites, by forcing the Indians to defend their own families; and, instead of forcing them from Florida by sentinels posted from Columbus to Flint river, and from Irwinton to Montgomery, to seek them in their camps, find, fight, and capture them.

Anxious to secure the country and General Scott himself from the evil consequences of a plan which there were neither means nor time to execute, General Jesup determined to protect his frontier by prompt movements upon the Indians, as far as it was possible to make them without disobeying the orders of General Scott.

On the 9th of June he assumed command of the Alabama troops, the disposable force being seven hundred volunteers under Major General Patterson.

The friendly Indians were ordered to rendezvous, the warriors to join as auxiliaries—their families to remain at the rendezvous and be fed by the Government. The hostile and doubtful Indians in the vicinity were disarmed, and placed in charge of friendly chiefs.

June 12. Pursuant to General Scott's order, he started to Irwinton, **TAKING IN HIS ROUTE** the camp of Eneah Mico and Eneah Mathla, where the hostile Indians were concentrated with their families, property, plunder, &c.

Eneah Mico's camp was broken up: the chief, with a portion of his band, came in to a friendly camp, and asked to be treated as hostiles disarmed.

June 15. While on the march, Eneah Mathla, the active head of the hostile party, was apprehended by an advance scout of friendly Indians, four hundred of whom joined on the 13th.

June 17. Approached within five miles of Eneah Mathla's camp—was joined by eleven hundred and fifty Indian warriors.

The singular order from General Scott "to cease all offensive movements," was here received. Confident that if General Scott knew his force and position, he would desire him to improve the sought-for opportunity of striking the enemy, General Jesup despatched an express with a letter, from which the sentence below is extracted, and on the morning of the 18th of June, pushed forward to the enemy's camp.

General Jesup to General Scott, in reply to first letter forbidding offensive movements.

EXTRACT.

"CAMP ON THE HATCHYCHURRY,

"Five miles from Eneah Mathla's camp, June 17, 1836.

"I would have struck the enemy to-night but for your letter. If he is not struck to-morrow morning he will escape for the present; but the force I have in the field is sufficient to pursue and reduce him."

The answer reached General Jesup in the just-deserted camp of Eneah Mathla, when active pursuit was alone necessary to entire success—containing a peremptory repetition of the order to cease instantly all offensive operations.

General Jesup gave directions for large reconnoitring parties to hold the enemy in check, and hastened in person to Fort Mitchell, 18 miles distant, to see General Scott. The latter having left for Columbus, a second express was sent to him, with a letter stating frankly General Jesup's opinions, and earnestly entreating him (General Scott) to adopt a different and more efficient course. The question of its publication is referred to General Scott, who can thus satisfactorily answer some of the offensive imputations upon General Jesup's motives.

The memoranda of this date by the writer refute the charge attempted to be made against General Jesup, of taking a position in which subsistence and forage could not be procured. Besides that taken from the enemy, eighty thousand rations ordered from New Orleans by General Jesup before he left Washington city, arrived on the 18th of June, five days before his rations were exhausted, within 18 miles of his camp, and a considerable quantity of forage, pursuant to his previous directions, was provided and ready at a point 20 miles distant.

June 19. General Jesup returned to camp. The reconnoitring parties brought in several prisoners, and certain information of the hostile parties. This information removed the only serious objection that had been made against General Jesup's operations, viz: that he would force the Indians across the river towards Florida. **DIRECTLY THE REVERSE** had actually occurred.

The parties on the river preparing to cross, fled inwards to the swamps, under shelter of the main body; in a few instances leaving their families in their flight. Some of them were brought in with the prisoners.

June 20. General Scott continued unshaken in his resolution that the enemy should not be beaten, except by the regular course of his own "plan of campaign."

The communications earnestly urging a change of this determination, had elicited only replies of the most exceptionable nature.

As the orders were well known to all, an offensive movement could not be made without avowed disobedience of orders, and this in a camp only preserved from mutiny against the "unaccountable **FIRMNESS**" of General Scott, by the most strenuous efforts of the officers.

Even had General Jesup determined to disregard the repeated and peremptory order, it would have been impossible to attack and effectually conquer the enemy before an order for his arrest could have reached him from General Scott, (only 28 miles distant.)

Thus compelled to inaction, he sent out some of the prisoners to summon the enemy to surrender, and kept the troops in position to enforce the summons. The consequence was, that, on the 22d, three hundred hostile warriors laid down their arms, and one thousand of the hostile party surrendered themselves unconditionally prisoners.

The position of General Jesup presented no alternative. He could not remain under the command of one who had alike disregarded the good of the public service, and the personal feelings and professional reputation of those who had labored most zealously and efficiently.

In three days after assuming command, General Jesup had marched upon the strongholds of the enemy, with a volunteer force not greater than General Scott could have called together at any point of the Georgia line; had checked the devastations, and effectually secured the Alabama frontier; had raised an auxiliary force of fifteen hundred Indian warriors,

from materials alike accessible to General Scott and himself; had seized the principal chiefs; broken up the hostile confederacy; taken and disarmed a portion of the hostiles; and, on the eve of closing the war, is arrested from doing it—because, forsooth, General Scott's plan of operations prescribed a later day and a larger force, (facing NORTH instead of south for effecting it.)

In these measures General Jesup had been greatly aided by the judicious arrangements of Governor Clay, and ably seconded by the prompt and energetic efforts of Major General Patterson, his officers and troops, and by the active and efficient corps of Indian warriors he had called into the United States service. By these the advantages had been obtained. And being thus halted in their consummation, General Jesup determined to ask to be relieved, and to place the immediate command of the Alabama troops with the State officers.

June 20. General Jesup made full report of the operations of the 2d army corps, and closed with the following paragraphs:

EXTRACT.

"CAMP HATCHYCHUBBY,

"June 20, 1836.

"As I was placed on this service by the express order of the President, I shall apply to him to be relieved, and shall demand a Court of Inquiry.

"I shall await your order as to the disposition of force," &c.

The channel of official communication was through General Scott. To make the application through him to the President would have been indelicate, if not improper, especially until it was seen whether he would or would not arrest General Jesup for his advance upon the enemy.

An official communication direct to the President, or through any officers of the War Department, must have, in substance, preferred charges against General Scott, and rendered necessary his immediate arrest.

Desirous of withdrawing himself from the duty with the least prejudice to General Scott and the public service, yet without admitting he was in error, he perceived and determined to adopt the only mode that would relieve the subject from all embarrassments, viz: expressing to the President, in a communication which was not of necessity official, his desire to be relieved. This could only be done through a mutual acquaintance. It was so done—by letter of same date with that to General Scott just quoted.

The President thought proper to render this letter an official document, and as such it is to be considered.

The documents forwarded by General Scott, including his letters to General Jesup, attacking him with the severest censures, and in effect preferring the most serious charges, were then before the Government, were considered by the President, and on General Scott's own showing the decision was probably founded.

The editor's assertion that the communication to the President was "a stab in the dark," "an attack upon General Scott," "an attempt to procure his removal," can now be understood and appreciated.

General Scott was advised on the 20th that the application to be relieved would be made. As it was not sent through him, **HE KNEW IT WAS**

an UNOFFICIAL communication, and should have appreciated the motive which induced General Jesup to thus decline preferring charges against him.

General Jesup's opinions of his errors and delays were fully, emphatically, and earnestly urged upon him.

The papers containing the whole correspondence were placed by General Scott before the Government; his recall was the revulsion of his own attack on General Jesup, or rather the inevitable result of exhibiting the circumstances.

The request to be relieved having been made, General Jesup left Camp Hatchchubby to report in person to General Scott. Illness, the consequence of excessive fatigue, stopped him at Fort Mitchell, and the writer, a member of his staff, was ordered to Columbus to communicate with General Scott.

In the course of the protracted official conversation with General Scott, the considerations bearing upon the unpleasant difference were mentioned and discussed, especially those having reference to General Jesup's request to be relieved. The occasion being presented, it gave the writer great pleasure to bear witness to the unvarying tenor of General Jesup's expressions and conduct towards General Scott, and still greater pleasure to hear them gratefully acknowledged by him.

The subsequent withdrawal by General Scott of what was personally offensive, reduced the differences to questions purely official, and, until decided upon by the Government, before which General Scott had laid them, both officers continued in the performance of their respective duties.

JUNE 23, 2D ARMY CORPS.

Hostile Indian prisoners were brought to Fort Mitchell, and retained there nine days, to enable the civil authorities (of Georgia particularly) to identify and demand the offenders against their laws.

JUNE 24, 2D ARMY CORPS.

General Jesup, with a detachment of Alabama volunteers and Indian warriors, seized Jim Henry's party, the chief and a few men only escaping.

1ST ARMY CORPS.

On the same day, General Scott moved south, and commenced active operations, pursuant to his plan of campaign—without having received the arms and ordnance stores for which he had been some time waiting.

On July 2d, he reached Fort Mitchell; having, by fatiguing and difficult marches, swept the country, as proposed in his plan, from the south northward, and captured one Indian and one Indian negro.

2D ARMY CORPS.

The chief Jim Henry, taken by the Indian warriors, in the vicinity of General Patterson's camp.

JULY 5, 2D ARMY CORPS.

A detachment of 600 men passed into the camp where the hostiles had taken refuge. All, with the exception of Neahmicco and thirty men, escaped. Having ascertained their routes—900 of them were taken on the 9th and 10th of July.

Twenty-seven hundred of the hostile party, including eight hundred warriors, and including forty criminals delivered to the civil authorities, have been taken, sent west, and are now probably at their destined homes. Their capture closed the Creek war. The subsequent difficulties have grown out of causes connected with the removal.

The incidents of the war are mentioned without any intent to claim credit for any individual—especially not for General Jesup, who, in his official reports, has assigned the merit of what was done by the army corps he commanded to the officers and soldiers of the Alabama troops, and to the officers and friendly warriors of the Indian bands who composed that corps.

It is doubtless true that the successful issue was aided and hastened by the tone General Jesup assumed towards the Indians, from the day when, to enter upon his command, he, with an escort of 120 men, pushed through the heart of the enemy's country, near the camp of Neahmicco, where were 600 hostile warriors, to the time when his orders were (and are) obeyed by the Indian chiefs, with the punctuality and promptness of military discipline—by his measures for raising an Indian force for separating the friendly and the warriors from those decidedly hostile—and by his exertions as commanding general of the corps.

The Georgia troops, however restless under the inaction imposed on them by want of arms, and by Major General Scott's "plan of campaign," have nobly redeemed the time then lost, by their conduct in the Creek country, and more recently in the contest with the Creeks, some of whom, in consequence of the late orders for removal, are endeavoring to make their way to Florida, across the line whose defence General Jesup confided to General Sanford.

The foregoing remarks answer the abusive article of the *Courier and Enquirer*, in all things except the inapplicable epithets, which I regret to find in an appeal to "officers of the army" by a person who has served long enough in our ranks to have learned a different language.

I close these remarks, as the editor closed his article, by saying they are respectfully submitted to the public, in order that the officers of the army may properly appreciate the conduct of Major General Jesup.

J. F. LANE,
Captain U. S. army.

CREEK COUNTRY, *August 8, 1836.*

No. 264.

WASHINGTON CITY, *January 8, 1837.*

SIR: I intended to have attended the Court of Inquiry at Frederick, in conformity with your notification of the 2d instant, but perceiving from a letter of General Scott just published in the *Richmond Enquirer*, that interrogatories (by letter) may be propounded to those at a distance who cannot conveniently appear in Court personally, I must beg the favor of the Court to be permitted to give my deposition in this way. From the circumstance that General Jesup's letter to me (which appears in the *Globe* of 26th of September) being called for in your summons, I presume that my testimony is only wanted to verify it as his. I know nothing of

the causes of the failure of the Southern campaigns, and if, as I suppose, the proof that the letter published as General Jesup's is really *his*, be all that is expected of me, it can be so readily obtained by my deposition, that I have felt it my duty (being an officer of the House of Representatives and engaged in daily attendance upon it) to decline the journey to Frederick for the present. If it should be the wish of General Scott, at whose instance I am summoned, to interrogate me as to any thing I may know of *occurrences in this city*, having relation to the officers, the army, or the campaigns, I will most cheerfully respond by a deposition, stating all I know, or respond to particular questions he may propound. If it should turn out that the examination in this way prove unsatisfactory, I will then go to Frederick and answer personally.

I send you the Globe of 26th of September, containing General Jesup's letter, which I am ready to verify as his.

Your most obedient servant,

F. P. BLAIR.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

No. 265.

[FROM THE GLOBE OF THE 26TH OF SEPTEMBER, 1836.]

TALLASSEE, ALABAMA, *September 3, 1836.*

DEAR SIR: I regret that I should have been the cause of bringing you into difficulty. I wrote to you, at the moment information reached me that General Scott had not only sent copies of his extraordinary letters to me to the War Department, but that he was representing me in his conversations as having deranged his plan of campaign, and brought a starving corps of two or three thousand men to consume the small quantity of subsistence and forage which *he* had collected for the Georgia volunteers and regular troops. Writing under the influence of the exasperated feelings produced by the wrong which I believed he had done me, and which I shall be able to show at the proper time he did me, I used language stronger, perhaps, than I should, under other circumstances, have thought necessary: but the language used expressed my opinions then; it expresses my opinions now.

Occupied with my public duties, I have no time for defence; and as I do not meddle with the politics of the country, I would not consent to be defended on party grounds. The questions in regard to the campaign should be decided on their own merits. I wrote to you not as a party man, but as a private friend. It is true, I wrote to you because you happened to be the editor of the Globe, in the columns of which I expected to see General Scott's letters spread before the public. I requested you to show my letter to the President as a measure of defence against the charges contained in General Scott's letters. The result was such as I neither expected nor desired. My command having been halted by General Scott, when in the presence of the enemy's principal force, I believed the Indians would disperse into small parties; and that, in place of fighting their force united, we should have to hunt their parties

through the swamps, as had been necessary in Florida. Having been censured for that which I considered the true course of operations, and believing I could render no useful service to the country in chasing small parties through the swamps, I desired, at the time I wrote, to be withdrawn from the army. I informed General Scott officially, on the 20th of June, that I should apply to the President to be relieved, and should demand a Court of Inquiry. On the evening of the 23d we met, and an explanation took place. About 10 o'clock that night, he put into my hands a letter addressed to the Secretary of War or the Adjutant General, I do not remember which, to part of which I objected, in the presence of his aid and mine. On the morning of the 24th, he informed me he would ask to withdraw from the files of the War Department the offensive letters; and on the 25th I addressed a letter to the Secretary of War, in which I expressed my readiness to continue under his command until the close of the campaign. I considered all personal difference at an end; but I believed and so expressed myself to those around me, that the Government owed it to the country to have the whole subject of the campaign investigated. I considered it no longer a question between General Scott and me, but between him and the country, or me and the country.

Respectfully, your obedient servant,

TH. S. JESUP.

FRANCIS P. BLAIR, Esq.

Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Columbus, Georgia, June 16, 1836.

SIR: Since I wrote to you on the 12th, I have heard of the arrival at Hawkinsville and Macon of most of the supplies I had ordered *via* Darien. These are now in wagons, and within two, three, and four days of this place. I have also just heard that the muskets ordered from Augusta may be expected here perhaps to-morrow. With these arms, and the 1,800 accoutrements from Hawkinsville, nearly the whole of the Georgia line may be fitted for the field. At present, of the 2,200 men Major General Sanford has in his camp on the other side of the river, only about 400 are armed. All the other armed men have been detached below to guard the river, and which, as yet, from the want of men, is but very imperfectly guarded.

After writing to you on the 12th, I received your letter of the 8th. This would have completely mystified me, but for the explanations given by some of the Georgia gentlemen who accompanied you from this place. For example, you wrote to me on the 6th that you were just about to set out for Montgomery, and yet I find you back at Tuskegee on the 8th. You do not tell me that you had been absent as far as Line creek, and that you there had met the Governor. You are silent as to any interviews you had had with him, either at Line creek or at Tuskegee, to which place, I understand from others, he followed you. Some difficulties you undoubtedly experienced in getting the command of the Alabama troops; but what those difficulties were you carefully conceal from me. You content yourself with saying, "I have not yet obtained the command of

the troops, but if I obtain it at all, I shall probably enter on duty to-morrow." But why you had not at first obtained the command of the troops, and why the doubt whether you would obtain it all, you again carefully conceal from me.

In a subsequent part of your letter you say, "I learn from the Governor that General Moore will," &c. How did you learn this from the Governor? You do not tell me that you had met him at Line creek, and that, turning back yourself, he had followed you to Tuskegee. It might have been by letter.*

Allow me to say that the whole letter is mysterious and enigmatical in the extreme, and that it is not such a communication as you ought to have made me. If the Governor made the difficulties about placing you in the command of the troops, *that* important fact ought not to have been concealed from me; and if he did not, who else interposed difficulties?

You further tell me that "if a movement be determined on, I will send you information of it by a runner." A movement to be determined on by whom? The Alabama commanders, or those in conjunction with yourself? Either you were placed in command, or you have not been. In the first place you would certainly determine on no scheme of offensive operations without my previous concurrence and readiness to co-operate; yet, without receiving any runner from you, or communication of any kind, since the 8th instant, a passenger in the stage by the upper route, just arrived here, reports that you, at the head of about 3,000 Alabamians and 1,000 friendly Indians, was about to march upon Neo Micco's band, and to commence offensive operations on a great scale! I have no doubt there is a gross mistake in this report. You may, perhaps, have been about to make some defensive movement or operation to clear a frontier settlement of a portion of the enemy, but I will not believe that you have declared your independence of my authority.

It is certain that Brigadier General Moore, of Alabama, has commenced a course of offensive operations, from Irwinton up the country. From this fact, I have rather inferred that you have not even yet been invested with the command of the Alabamians, or you certainly would have stopped his premature and isolated [movement.] These doubts and conjectures, in the absence of all direct intelligence from you, are sufficiently harassing. I mean to be explicit and precise on my part. I desire you instantly to stop all offensive movements (if you are in command) on the part of the Alabamians, until the Georgians are ready to act, say on the 21st instant, when the greater number of them will be armed and ready for the field. By that time, too, there will be on the frontier the greater part of the regulars and marines ordered from the North. On that day, if the movements of General Moore shall not render a modification of my plan necessary, I shall begin to assemble the troops on this side of the nation, somewhere in the neighborhood of Irwinton, and operate up the country. It is my desire that you meet me about that time and place, and that you bring with you any disposable force you conveniently can, or that you hold the whole of the Alabamians in defensive positions on the frontier settlements till I shall bring the war into their neighborhood, when you can come into the general line of operations with me.

* *Note furnished with the copy.*—So the fact was communicated, the importance of adding that it was communicated by letter or orally cannot be perceived.

No quartermaster has arrived here but Dr. Waite. Captain Page says that, under his instructions from the War Department, his presence in this quarter is indispensable. No flints and no ammunition have yet arrived.

I have heard of shipments from New Orleans of army supplies; but none have arrived. Subsistence, with arms and accoutrements, from Hawkinsville, will begin to come in to-morrow.

I shall cause a large deposite of subsistence to be made at Irwinton, another at Fort Mitchell, and a third at this place. I am inquiring, and may establish a fourth depot at some convenient point between Irwinton and Fort Mitchell.

Six companies of regulars have arrived here to-day, and Monroe's three days ago; they are sent to guard the Indians at Fort Mitchell.

I remain, with undiminished confidence, yours, most respectfully,
WINFIELD SCOTT.

Major General T. S. JESUP,
United States army, commanding, &c.

HEADQUARTERS, ARMY OF THE SOUTH,
Columbus, Georgia, June 17, 1836.

SIR: I have this moment received your two letters of the 15th and 17th instant.

I am infinitely astonished and distressed to hear of your near approach, and in a starving condition,* to Fort Mitchell. You knew that your forces were not wanted there; you knew that no supplies could reach even Irwinton from New Orleans, earlier than the 21st instant, if so soon; and you knew, by my letter of the 10th, that nothing had arrived as high as Hawkinsville, upon the Ockmulgee, and, consequently, nothing could have reached this place by the present date from that river. I also ought to add that you knew, when you left here, that the troops, daily increasing, were living from hand to mouth on the precarious supplies of the neighborhood. Under these circumstances, imagine my astonishment to learn that, instead of marching the disposable force of Alabama upon Irwinton, with subsistence for at least ten or five days in advance, you have come through the heart of the Indian country, seeking private adventures, which, if successful, could hardly have advanced the war, and against my own plan of operations, to Fort Mitchell, forty-five miles out of position! It is precisely General Gaines's movement upon Fort King, where there was no subsistence; and there is none, as you ought to have known, at Fort Mitchell.† My grief and distress are

Notes furnished with the copy.

* When General Jesup arrived at Fort Mitchell, on the night of the 18th of June, he found a steamboat with seventy thousand rations, which he had ordered from New Orleans before he left Washington city; and he found in the neighborhood several thousand bushels of corn, which he had directed Captain Page to secure early in June. He was surely entitled to some small share of the benefits of his own arrangements. If General Scott was not acquainted with the resources at his command, it was not the fault of General Jesup.

† General Jesup knew that the navigation was good, and he expected the arrival of steamboats with supplies, at Columbus, by the 15th of June. He had subsistence sufficient for the troops under his command to the 22d of June.

at their utmost height. This strange movement you have made without giving me the slightest notice. You had not informed me you do not even now tell me, that you are in command of the Alabamians, and your last letter, of the 8th instant, stated that it was doubtful whether you would ever be invested with that command. All this is infinitely strange, and was the last thing in the world that was to be expected from you.

Well, to prevent starvation, I have called for the quartermaster and commissary, and demanded of them what rations and forage they could supply. Lieutenant Waite, the quartermaster, had with great difficulty provided some corn for my movement at the head of the Georgians on the 21st or 22d, and Lieutenant McCrabb had just nearly exhausted the market to obtain two or three days' rations for the troops already at Fort Mitchell. At the risk of starving the troops on the river, (the Georgians and regulars,) I have ordered the quartermaster to send you five hundred bushels of corn, and the commissary to move heaven and earth to send two or three days' subsistence for the troops brought with you. To prevent, however, all further erratic movements, I desire you to encamp your forces somewhere in the neighborhood of Fort Mitchell, till further orders, or until I can see you. We will keep your forces, and those previously on the river, from starving, if possible, till the arrival of the Ockmulgee supplies, which I suppose will precede those from New Orleans by some days.

The first, and one of the worst effects of your arrival, will be to prevent a movement of the Georgians and regulars as early as I intended. The former have pushed their impatience for active operations almost to a state of mutiny; a result which I may not be able to prevent, if they should learn that the arrival of the Alabamians is to hold them in a state of inglorious activity many days longer.

I wrote to you yesterday, and despatched the letter by a runner from Fort Mitchell. I shall endeavor to visit Fort Mitchell to-morrow or the next day.

Though in grief, I still remain yours, with great regard,
WINFIELD SCOTT.

Some wagons with subsistence are despatched to-night, but cannot arrive, I learn from Mr. Waite, till to-morrow morning. Some corn (two hundred and fifty or three hundred bushels) will be down by ten o'clock to-morrow in a boat.

W. S.

HEADQUARTERS, SECOND ARMY CORPS, SOUTHERN ARMY,
Camp on the waters of the Hatchychubby, June 17, 1836.

GENERAL: I have this instant received your letter of yesterday. I regret that my operations have met your disapprobation; but they were commenced, and have been continued, for the purpose of staying the tomahawk and scalping-knife, and preventing the devastation of entire settlements or neighborhoods on the frontier. They have had the effect of tranquillizing, in some measure, the frontier people, and of inducing them to remain at their homes. I regret the censure implied in your re-

marks, because it is unmerited. I acted in accordance with what I believed to be the spirit of your instructions; but even were my conduct in direct opposition to your instructions given at a former period, the altered circumstances of the country is, I should think, a full justification. I consider it so, for I have none of that courage that would enable me to remain inactive when women and children are daily falling beneath the blows of the savage.

Writing in the open field, where I am interrupted every moment by matters of detail of every kind, even to the placing of a wagon, I cannot now explain the remarks in my letter which *you have considered so enigmatical*, further than to say, in justice to Governor Clay, that he made no opposition to my assuming command, but made every effort to sustain me; and to add that, if successful in my present operations, I shall owe much of that success to his able arrangements. The troops, or rather a part of them, were opposed, not to me personally, but to any officer of the United States taking command of them; and I would take command of militia and volunteers on no other terms than their consent. I would resign my commission first.

I am now within five miles of Enea Mathla's camp, with twelve companies of volunteers and four or five hundred Indian warriors. Eleven hundred warriors, under Hopothle Yoholo, will join to-night, and perhaps five hundred volunteers from Alabama. I made such arrangements for the defence of the settlements in my rear, that I feel assured of their entire security. I would have struck the enemy to-night, but for your letter; if he is not struck to-morrow morning he will escape for the present, but the force I have in the field is sufficient to pursue and reduce him.

With every disposition to perform their duty, the volunteers and militia are necessarily extremely irregular in their returns, &c. I am not, therefore, able to send you a return in form of the force under my command.

I am, sir, respectfully, your obedient servant,

T. S. JESUP,

Major General commanding.

Major General Scott,

Commander of the Southern army, Columbus, Ga.

No. 266.

TUSKEGEE, November 27, 1836.

SIR: having received your note summoning me to attend a Court of Inquiry at Frederick city, Maryland; and, just as I was preparing to take the stage for that place, I was served with a notice to attend the district court at Mobile, Alabama, which last summons I must obey. I do not know that my testimony would be of any service to General Scott, though I am certain it could do him no injury. And should the Court of Inquiry remain in session till after the court in Mobile is over, and General Scott wishes my attendance, and I can be notified of the fact, I will attend without delay. The court at Mobile will adjourn, or at least I shall be able to leave that place, about the fifteenth of December next. As you belong to the army, and I in the habit of giving my opinion con-

didly about men in office, and, moreover, as what I say is not offered as testimony in favor of General Scott, or against any one else, but merely my statement to you, I will not close this without stating to you one fact—do General Scott justice, and it would not require my testimony, or that of any one else, to place him far beyond the reach of his accusers. One thing I know, and I have a right to say, that General Scott's orders have been violated, or disobeyed; he has been censured for the improper conduct of others, and has been badly treated by those on whom he has bestowed honors and favors, and when, I am inclined to think, they were not merited.

Very respectfully, your obedient servant,

T. S. WOODWARD.

Captain COOPER,
United States army.

No. 267.

HEADQUARTERS, ARMY OF THE SOUTH,
Tuskegee, Alabama, August 2, 1836.

SIR: Knowing that I had written to you in reply to your communications, I was surprised when I received a copy of a letter you wrote to the President, in which you declare that I had treated with "*silent contempt*" the reasonable request of the Governor of Georgia." I examined my letter-book, and found my letters to you recorded in their proper places, in the handwriting of my aid-de-camp, Colonel Goldthwait. I felt indignant that a charge so entirely unfounded, as I then thought, should have been made; but I am now induced to believe that, by some oversight or omission, my letters, or at least one of them, had not been sent to you. Captain Parrott, who acted as adjutant general of my division, during the active part of the campaign, left Fort Mitchell for Washington city on the 1st of July. In looking over a file of papers put up by him the morning he left, and not opened since, until last night, I found the enclosed letter; the endorsement is in Captain Parrott's hand, and I think it probable that it was put upon file in place of being sent to you. I will be greatly obliged to you to inform me whether you received a duplicate of that letter. Had I been even hostile to you, which was not the fact, the courtesy due from one gentleman to another would have prevented me from neglecting your communications.

I have thought it due to myself to enter into the particulars above stated; and I am, sir, respectfully, your obedient servant,

TH. S. JESUP.

His Excellency W. SCHLEY,
Governor of Georgia, Milledgeville, Georgia.

No. 268.

HEADQUARTERS, ARMY OF THE SOUTH,
Tuskegee, Alabama, August 28, 1836.

SIR: I received your letter of the 15th instant at the moment I was setting out for Tallassee, on duty connected with the Indian emigra-

tion, and, expecting then to return in a day or two, I left it in my office here. I was detained longer than I expected, and only returned this morning. Your letter of the 30th June was not answered, but the omission was inadvertent, not intentional. I had forgotten that letter until I received yours of the 15th. I can only account for the omission to answer it from the fact that I was then actively engaged in measures for the security of about fourteen hundred hostile Indians, who had been allowed to go into the camp of a friendly Indian chief near Tuskegee, and who, I was informed, would, in consequence of my delay at Fort Mitchell, probably escape. They did escape in consequence of that delay; and my division of the army was occupied in recapturing a part of them until the 17th of July. About a thousand were recaptured; and I have been informed recently, by several friendly chiefs, that the party which crossed into Georgia, about the 24th of July, was that portion of the party referred to who had not been recaptured.

In my movement from Fort Mitchell, I believed that I was performing my duty. I believe so still. And I could not then, nor can I now, perceive any sufficient ground for the censure which has been heaped upon me for that act. The movement of the troops was required, and the Indian prisoners could not be left without them. Besides, my instructions required that I should remove the prisoners as rapidly as possible. That I was disposed to afford every facility in my power to Georgia will have been seen in my communication to your excellency of the 28th of June. I there informed you that three warriors had been identified, and awaited your order. I had not then received the information which rendered the movement to the neighborhood of Tuskegee necessary.

I regret as sincerely as you do that any circumstance should have occurred to interrupt the harmony and good understanding, at least on my part, previously to my march from Fort Mitchell; but, until I found my letter of the 30th of June, I considered myself greatly aggrieved by your letter to the President.

I have the honor to be, very respectfully, your excellency's most obedient servant,

TH. S. JESUP.

His Excellency W. SCHLEY,

Governor of Georgia, Milledgeville, Georgia.

No. 3.

PROCEEDINGS OF A COURT OF INQUIRY

IN THE CASE OF

MAJOR GENERAL GAINES,

[FAILURE OF THE SEMINOLE CAMPAIGN IN 1836.]

LIST OF DOCUMENTS

No. 1.	General Gaines to Adjutant General,	January 15, 1836
2.	Requisition for ordnance and ordnance stores,	January 15, 1836
3.	Requisition for subsistence stores,	January 15, 1836
4.	Requisition for quartermaster stores,	January 15, 1836
5.	General Gaines to Governor of Louisiana,	January 15, 1836
6.	General Gaines's special order,	January 16, 1836
7.	Do. do.	January 16, 1836
8.	Do. order No. 4,	January 18, 1836
9.	Do. special order No. 5,	January 18, 1836
10.	Do. to Adjutant General,	January 25, 1836
11.	Do. to General Clinch,	February 2, 1836
12.	Do. special order No. 7,	February 3, 1836
13.	Do. to Governor of Louisiana,	February 4, 1836
14.	Adjutant General to General Gaines,	January 22, 1836
15.	General Gaines to Adjutant General,	February 6, 1836
16.	Adjutant General to General Gaines,	February 22, 1836
17.	General Gaines's order No. 4,	February 10, 1836
18.	Do. do. No. 6,	February 12, 1836
19.	Do. special order No. 11,	February 12, 1836
20.	Do. do. No. 12,	February 12, 1836
21.	Do. to Adjutant General,	February 22, 1836
22.	Do. to General Clinch,	February 22, 1836
23.	Captain Hitchcock's report,	February 22, 1836
24.	General Gaines's special order No. 13,	February 22, 1836
25.	Do. do. No. 15,	February 26, 1836
26.	Do. do. No. 16,	February 26, 1836
27.	Do. do. No. 17,	February 28, 1836
28.	Do. to General Clinch,	February 28, 1836
29.	Do. do.	February 29, 1836
30.	Do. special order No. 18,	March 9, 1836
31.	Do. order No. 7, (see Doc. 78 in General Scott's case.)	March 9, 1836

No. 32. Adjutant General to General Gaines,	March	10, 1836
33. General Gaines to Adjutant General,	July	4, 1836
34. F. Marks to Captain Hitchcock,	October	29, 1836
35. Dr. Harral to do.	October	9, 1836
36. Map of Florida.		
37. Map of Camp Izard.		
38. "New York Courier and Enquirer" of	April	2, 1836
39. General Gibson to Lieutenant Morrison,	July	1, 1836
40. Do. do.	Sept'ber	23, 1836
41. Statement of subsistence at Tampa,	March	31, 1836
42. "New Orleans Bulletin" of	Sept'ber	26, 1836
43. General Gaines to General Smith and Colonel Christie,	Sept'ber	18, 1836
44. Deposition of Surgeon General Thomas Lawson.		
45. General Gaines to the President of the United States, with general order No. 37, of the 11th June, 1836,	June	20, 1836
General Gaines to Secretary of War, enclosing letter from Major Graham,	February	28, 1837

PROCEEDINGS

Of a Court of Inquiry, held at the city of Frederick, Maryland, by virtue of the following Orders, to wit :

WAR DEPARTMENT,

Adjutant General's Office, Washington, October 3, 1836.

GENERAL ORDER No. 65.

The following order is published for the information of all concerned :

By direction of the President of the United States, a Court of Inquiry, to consist of Major General Macomb, President, and Brevet Brigadiers General Atkinson and Brady, members, is hereby ordered to assemble at the city of Frederick, in Maryland, as soon as the state of the military operations against the Indians will permit the witnesses to attend, (of which the President of the Court is to judge and determine, and to give notice to all concerned,) to inquire and examine into the causes of the failure of the campaigns in Florida against the Seminole Indians, under the command of Major General Gaines and of Major General Scott, in 1836 ; and the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836 ; and into every subject connected with the military operations in the campaigns aforesaid : and, after fully investigating the same, the

Court will report the facts, together with its opinion on the whole subject, for the information of the President of the United States.

Captain Samuel Cooper, of the 4th regiment of artillery, is hereby appointed to act as Judge Advocate and Recorder of the Court.

LEWIS CASS.

WAR DEPARTMENT,
October 3, 1836.

R. JONES, *Adjutant General.*

ADJUTANT GENERAL'S OFFICE,

Washington, October 14, 1836.

GENERAL ORDER No. 68.

The following order has been received from the War Department, and is published for the information of all concerned :

WAR DEPARTMENT,

October 13, 1836.

1. It appearing by the public prints that the official report of Brevet Major General Gaines, dated "Headquarters, Western Department, Camp Sabine, 4th July, 1836," made to the Adjutant General of the army, has been published, and the said publication being without the sanction of the War Department, or other proper authority, the Court of Inquiry of which Major General Alexander Macomb is President, will, in addition to the duties already assigned to it, inquire into the facts as to the manner and by whose authority the said official report was made public.

2. The Court will also report its opinion as to the violation of the rules of the service by such publication, and as to the character of said report, in reference to all its bearings and consequences, as it concerns general military propriety and the discipline of the army.

3. And, further, the Court will examine and inquire into any other reports and publications made by Brevet Major General Gaines, or by any other officer of the army, having reference to military affairs, and published without the sanction of the War Department, or other proper authority, and give its opinion on the tendency of such reports and publications, in the same manner as it is herein required to do in the case referred to in the foregoing paragraph of this order.

C. A. HARRIS,
Acting Secretary of War.

By order of Major General MACOMB :

R. JONES, *Adjutant General.*

FREDERICK, JANUARY 11, 1837.

The Court met, pursuant to adjournment.

Present : Major General Macomb, President ; Brevet Brigadiers General Atkinson and Brady, members ; Captain Cooper, Judge Advocate and Recorder.

The orders constituting the Court having been read, and Major General Gaines making no objections to any of the members therein named, the Court was duly sworn in his presence.

The Judge Advocate then proceeded to read the documentary testimony which accompanies these Proceedings. (See documents.)

The testimony being read, the Court adjourned to meet again to-morrow morning at 11 o'clock.

JANUARY 12, 1837.

The Court met, pursuant to adjournment. All present.

Captain E. A. Hitchcock, of the 1st. regiment of infantry, a witness, being duly sworn, was interrogated as follows:

1. *Question by the Court.* Were you with Major General Gaines on his campaign in Florida, in 1836; and, if so, in what capacity?

Answer. I was appointed by Major General Gaines, at Mobile, on the 18th of January, 1836, acting assistant adjutant general. That order was subsequently superseded by another, appointing me inspector general of the western department. I continued with General Gaines, in his military family, from the date of the first order, through the campaign in Florida, and until some time after he left that section of the country.

2. *Question by the Court.* Will you state to the Court, as nearly as you can recollect, the occurrences that transpired on the march of the army under Major General Gaines, from Tampa bay to the Withlacoochee, and afterwards, whilst at Camp Izard?

Answer. The army under General Gaines left Tampa bay on the 13th of February; there was nothing of material importance occurred until the 17th of the month, when some Indian villages were burnt; they appeared to have been abandoned a number of days. At this time there was a general expectation, so far as I know, in the army, that General Scott would be somewhere in that vicinity, in considerable force, within a short time. While these villages were burning, a detachment of the army was distant about two miles from the main force—I was myself about a mile from the main force—when a loud report was heard, similar to that of a cannon. On joining the army, I found this report the subject of conversation, and the opinion seemed to be almost unanimous that it was the report of a piece of ordnance with General Scott. I heard, indeed, but one dissenting voice, and one other that was doubtful, among all those I conversed with. The army continued its march, and, on the 19th of February, encamped about four miles on the north of the north branch of the Withlacoochee, burning another town, just previously to occupying that camp, which appeared, also, to have been abandoned several days. We found at this camp the remains of what appeared to have been the encampment of Major Dade, consisting of a small square breast-work. On the following morning, about 9 o'clock, the army arrived at the scene of the massacre of Major Dade and his command, which was reported to have occurred on the 28th of December previous. The bodies of the dead, found at that place, received honorable burial, and the army continued its march, arriving, on the 22d of the month, at Fort King. The day following, (to wit, the 23d,) a detachment of the 4th infantry, un-

der the command of Lieutenant Colonel Foster, was despatched to Fort Drane, for information and supplies, there being no supplies adequate to the purposes of a campaign at Fort King. Colonel Foster returned on the evening of the next day, by a forced march, bringing with him, I think, seven days' rations for the command of General Gaines. He was accompanied from Fort Drane by General Clinch. On the 26th of February General Gaines resumed his march, in the direction towards a point on the Withlacoochee river where it was understood General Clinch had fought a battle on the 31st of December. The army arrived at this point on the afternoon of the 27th. While the general was reconnoitring the river, a little above the crossing, the centre and the left wing were fired on by the Seminoles, from the opposite side of the river. The baggage-train had been ordered to halt at a convenient place for encampment, as it was understood not to be the purpose of the general to cross the river that night. The firing of the enemy was, of course, returned, and, after continuing perhaps half an hour, the general directed Colonel Twiggs, his second in command, and who had been appointed to the immediate command of the brigade, as a light brigade, to withdraw from the river, after the men should have become familiar with the new scene that had been presented to them, or words to this effect. The army withdrew and encamped accordingly, having sustained a loss of one man killed and several wounded. The crossing-place, at this point of the river, was covered with a dense swamp of about a quarter of a mile in width. It was understood that a few miles below, the open pine woods approached the bank of the river upon both sides, where the friendly Indians with us reported it to be the habit of the Indians to drive cattle across. The army, on the morning of the 28th, moved down to this place—perhaps two miles from the point last mentioned. The advance-guard, commanded by Lieutenant Izard, of the dragoons, acting brigade major, was here fired upon, and Lieutenant Izard mortally wounded. The advance was sustained by two companies of the 4th infantry, and a portion of the volunteers were this day also on the bank of the river. The firing continued across the river, I think, until between 12 and 1 o'clock. The Indian yell was continuous nearly the whole of this time. At one time it appeared to be very greatly increased, as if by the accession of new force. This was attributed by the friendly Indians to the arrival of Micanopy, the principal chief of the nation, with his warriors, supposed to be 800 in number, and the opinion was general that the main force of the enemy was then in our neighborhood. The army encamped that afternoon, and in the evening an express was despatched by General Gaines to Fort Drane, with a communication for General Clinch, or the officer commanding the forces in that part of Florida. On the morning of the 29th of February, the Indian yell, which had continued the principal part of the previous night, ceased entirely, until about 10 o'clock in the morning, when a firing was poured into our camp upon three sides. The firing continued about two hours, or a little over, when the enemy was driven off, leaving, contrary to their custom, one of their killed, who fell into our possession. On the evening of this day, another despatch was sent to Fort Drane, directed as in the former instance. From about mid-day of the 29th of February until the afternoon of the 2d of March, there was no firing whatever upon our camp. In the afternoon of the 2d, a small party of the enemy, from a westerly direction, threw in a volley and disap-

peared. This mode of annoyance continued, more or less, from that time until the evening of the 5th of the month, sometimes at night. Up to this time, the loss at that camp, on our side, had been Lieutenant Izard, wounded on the 28th, who died on the 5th of March; one sergeant of artillery killed; two Louisiana volunteers also killed, and thirty or forty wounded. In the evening of the 5th of March, about 10 o'clock, a loud voice was heard from the woods, hailing our camp, and some one declared that the Indians had had fighting enough—that they wanted to come in, have a friendly talk with the white people, and make peace. He was answered, by direction of the general, that if their chief would come in with a white flag the next morning, they should not be fired upon. The man from the woods answered—"Very well, they would come in after breakfast," and bade us good night. On the morning following, I think about 10 o'clock, Indians were seen filing from the west and east sides of the camp, several hundred yards distant, passing out from the river, and uniting in the rear of our camp, perhaps 600 yards distant. They were estimated to be about 300 in number. From this body, a few Indians were seen advancing towards the camp, with a white flag. They were first met from our camp by Adjutant Barrow, of the Louisiana volunteers, who reported to General Gaines that the Indians stated that they did not wish to fight any more, but they wished him to go away. I was directed by the general to go out, and hear what the Indians had to say. I requested two gentlemen to go with me—Doctor Harrel, of the Louisiana volunteers, and Adjutant Barrow, before mentioned—desiring them to bear in mind that I had the instructions of the general, and would attend to them, requesting them to witness what passed. On this occasion, I met, at the distance of about 150 yards from the camp, several of the Indian chiefs, with their principal interpreter; among the former were Jumper, understood to be the principal adviser of Micanopy, the king of the nation, and Oreola, or Powell, who was regarded to be among the principal war chiefs; there was another who was called Alligator. The names of the others were unknown to me. On the part of the Indians, the council was conducted by Jumper, through his interpreter. I had with me an employed interpreter, from our camp, who was directed not to make himself known, but to listen to what might be said among the Indians. Jumper, at first, inquired of me what I had to say. I answered—"Nothing, to him, but that I had come to hear what they had to say." They then repeated the purport of what had been declared the night before, from the woods, adding that they had lost many of their warriors, killed and wounded, or disabled; that they did not wish to lose any more, but wanted to make peace. I communicated this to the general.

I will state that I had had many conversations with the general, on the subject of the proper manner of treating with Indians. In these conversations, he had invariably declared that he would not deal with them on any other than the known and acknowledged principles which should govern in the intercourse of civilized nations; declaring that the ignorance and dependence of the Indians made it more obligatory, on our part, to deal with them honorably and justly. It was in reference to these conversations, as I understood, that the general had directed me to confer with the Indians, observing, "you know my principles," or something to this effect. In accordance with this, I stated, in general terms, to the Indians, that General Gaines was the commanding officer in our camp. The

Indians said they knew General Gaines, had seen him many years before, expressed their confidence in him—that he was a good man, and appeared pleased to find that he was the commanding officer in our camp. I stated to them that General Gaines was but one of the several chiefs who had been sent by the President of the United States among them to enforce upon them a peace. I desired to show them that they would of necessity be compelled to submit, and, for this purpose, I endeavored to give them an idea of the extent of territory occupied by the whites, and of their dense population, using the simile perhaps often resorted to in Indian councils, that the whites covered the country like the trees of their forests. After talking to them some little time, in language like this, assuring them over and over again that they would be compelled to submit, they answered that they would take counsel among themselves—would assemble again in the afternoon, and we would have another talk. At this council with the Indians, I stated that General Gaines had not come among them for the purpose of investigating the causes of the war. That possibly they might suppose they had been much wronged; but that, if so, I presumed they had satisfied themselves—alluding to the destruction of Major Dade, and the like instances of success on their part. Ocoola remarked, "I am satisfied," as it was interpreted. I supposed he alluded to an act attributed to him near Fort King, by which the Indian agent, who had put him in chains, came by his death.

In the afternoon, the chiefs came to council in the same manner as in the morning. I had, in the mean time, been advised by the general that he did not feel authorized to make any terms with them; that if, however, they persisted in asking for peace, I must give to them conditions, and require them to pledge themselves to obedience to them. These conditions were, that they should cease entirely from all acts of hostility against the whites; that they should cross to the south side of the Withlacoochee, and promise to attend a council, when and where they should be sent for by a chief who was soon expected to be there. This referred to General Scott, who was believed to be in the vicinity of our camp, not more than thirty miles distant. The chiefs answered that their principal chief, Micanopy, was not with them, and had not been with them for several days; they wanted time to consult him; that they could not make any permanent arrangement without doing so; but that, for their own parts, they engaged to comply with the terms dictated to them by General Gaines. To prevent any misunderstanding of these terms, I repeated them, one by one, distinctly, twice over. On concluding the last, there was an indication of some approaching force from the north. The Indians at a distance called to those in council, and made signs to them to go away. I immediately supposed this to arise from the approach of troops from Fort Drane, and told the chiefs to hasten their men away and put them in security. They accordingly went off, and went into a hammock to the east of our camp. The force, as I supposed, approached our camp; but, contrary to my expectation, instead of being commanded by General Scott, was commanded by General Clinch. General Clinch brought supplies of two days' rations of pork and flour, with about forty head of cattle. The rations in our camp had become almost entirely exhausted, inasmuch that some of the volunteer companies, from improvidence, or want of acquaintance with the proper means of taking care of their rations, had been three or four days without the proper army ration; the

orders of the general, given, I think, on the 28th of the month, for the command to go on half rations, not having been strictly complied with, it was about the 4th of March, if I mistake not, that some horses were killed, and the meat distributed to those who desired it; and this was again done on the 5th.

After the council, stated in my testimony, the troops continued at Camp Izard, until the morning of the 10th, during which time I heard not a rifle or an Indian yell. Our own men were on the banks of the river, at pleasure, without being disturbed. About the 10th, the command was assigned to General Clinch, under whose orders the troops marched to Fort Drane.

I will remark that, during the councils held with the Indians, there was much repetition, as is usual, I believe, in Indian councils; but the purport is what I have stated in my testimony. At the time I attended this council, besides the two gentlemen who went, at my request, there was another, (Captain Marks,) who went, I believe, of his own accord. Some few weeks ago I thought proper to address letters to two of these gentlemen, requesting them to furnish me a statement of what took place at the council. I did not write to Adjutant Barrow, solely because I did not know where a letter would find him. These are the letters which I have received in answer.

[The Judge Advocate here read the two letters which will be found accompanying these Proceedings, Nos. 34, 35.]

3. *Question by the Court.* Where there any sorties made from the camp upon the enemy in any one of the attacks made by him whilst the army lay there; and what was the strength of the army at the time?

Answer. The army was about one thousand strong—a few over, perhaps—and no sortie was made. It may be proper to add to this answer, that one wing of each of the several bodies occupying the faces of the square, had been ordered by General Gaines to be held in readiness for a sortie, should he think proper to order one. This order was given on the afternoon of the 29th of February.

4. *Question by the Court.* When and how many attacks did the enemy make upon the army whilst fortified at Camp Izard, and with what results?

Answer. My answer is imbodyed already in my testimony. Subsequently to the 29th of February, but very small parties appeared in the neighborhood of our camp, or fired upon us; the largest was on the 3d day of the month, when there was considerable firing, but, I believe, no injury done whatever. During these several days, it was a subject of very frequent, and, on my part, anxious [doubt] with the general, as to whether the Indians had not abandoned that part of the country, so few of them appearing about our camp. I was apprehensive that the Indians, finding it impossible to move us, would leave that section of the country, and go into what is called the Everglades. I frequently expressed this apprehension to the general, suggesting that activity of movement on his part at that place might be likely to produce that result; in which case the campaign would be lengthened, embarrassed, if not defeated, and the blame of it would attach to him. He remarked upon his want of mounted men to pursue any advantage he might gain in a sortie, and referred to his letter of express to Fort Drane, confidently expressing his expectation that General Scott would be there in person to receive his express, with the species of force most needed, and that he would certainly come down.

5. Question by the Court. What effect did it have on the spirit and conduct of the troops, in being held within our lines, when the enemy made his several attacks upon them?

Answer. I am not aware of any special effect produced by that state of things. There was the most perfect order prevailing in camp; a prompt obedience to every order, and, indeed, a spirit altogether worthy the soldier.

6. Question by the Court. Was the army on the Withlacoochee, under Major General Gaines, strong enough and well enough appointed to have attacked the enemy with a prospect of success?

Answer. In my opinion, the army could have beaten the enemy at that place, and driven him at any time; but there were no means for pursuing him with any effect.

7. Question by the Court. What do you suppose was the strength of the enemy that invested Camp Izard; and how do you form an estimate?

Answer. I believe the enemy was not less than 1,300 strong on the 29th of February—possibly more numerous. This opinion is founded upon the extent of ground occupied by them, to wit: On the east face of the camp, against about the middle of it, rested their left, and from that place they extended around the rear and the right, running into the hammock on the right, at a distance of, perhaps, from fifty to one hundred yards. The faces of our camp were about two hundred yards in extent. A circumstance occurred on the 1st of March of this nature: The Indians passed out from the river, east of our camp, in single file, marching past the rear of it about six hundred yards distance, and recrossed the river west of us. They were observed, as I understood from Doctor Heiskell, by a watch, passing a given point of space, and he assured me, on two several occasions, that they were thirty minutes in passing in a rapid movement. From this data it would appear that there scarcely could have been less than fifteen hundred; there might have been four or five hundred negroes among them.

8. Question by the Court. What was the condition of the troops, whilst at Camp Izard, in respect to supplies of arms and ammunition?

Answer. At Fort King, previously to marching to the Withlacoochee, there was an average of about fifty cartridges to a man. I derive this from personal inspection of the troops at that place. The field-piece, a six-pounder, was furnished with fifty rounds of grape, and a few charges of round shot. The arms were chiefly muskets and yeagers; the yeagers having been issued to, perhaps, three or four of the companies of the volunteers; they were in good firing order.

9. Question by the Court. Do you think that Major General Gaines had it in his power at any time, with the means in his hands, and the appointments of his forces, to have marched upon the enemy and subdued him, had the enemy availed himself of the fastnesses of the country well known to him?

Answer. I believe they would have escaped any pursuit he might have made with his force. With regard to the effect of a sortie, it is a problem, of which, perhaps, any one may form an opinion, from a consideration of the facts which I will state. The Indians appeared to have a great facility in crossing the river; the banks of the river above and below our camp were lined with a dense swamp. Had a sortie been made, the Indians would have rushed into this swamp on one side or the other, and, by their knowledge of the best passages through it, and their facility in crossing

the river, would, in all probability, have eluded any pursuit that could have been made from our camp. In the event of a sortie, there would, in all probability, have been a loss on both sides, but, it is my impression, without producing any beneficial results. The Indians were expending their ammunition, while our fire was reserved, and we were daily in the expectation of force from Fort Drane, especially of mounted men, a species of force of which we had none.

1. *Question by General Gaines.* Was the river passable without boats or rafts at the place first approached ?

Answer. It was not.

2. *Question by General Gaines.* Will you state the cause of our eating the meat of horses ? whether it was not deemed to be more manly and proper for troops to eat horse-meat, than to suffer the enemy to attack the frontier ?

Answer. I have always considered that the readiness and willingness with which the men sustained themselves upon that food, rather than fall back from the position assumed, did them the highest credit, as evincing a noble spirit.

3. *Question by General Gaines.* The witness is desired to state what he knows in reference to my views and wishes towards Major General Scott, relating to the campaign in Florida.

Answer. The first intimation received by General Gaines of the orders assigning General Scott to duty in Florida, was at Pensacola, about the 6th of February. I saw General Gaines very soon after he received this information. He made no special remarks, that I remember, in relation to General Scott himself at that time. On our way to Tampa bay he frequently spoke of him, and of difficulties which had existed between himself and General Scott in years gone by. He declared many times, indeed, invariably, in effect, that he had outlived all feelings of personal animosity towards that officer ; that, on no account whatever, would he suffer any private or personal feelings to interpose any obstacles to the accomplishment of the duties then contemplated in Florida, declaring it to be his purpose, without making it a question, to relinquish the command to General Scott, on meeting with him, should he desire it ; or, if General Scott pleased, General Gaines would unite with him in efforts to put an end to the war. These sentiments were expressed repeatedly from Pensacola, by Tampa bay, at Fort King, and on the Withlacoochee river, where, at this latter place, on one occasion in particular, he spoke of the certainty with which he expected the arrival of General Scott at that place, and declared it to be his purpose to offer him his hand in the presence of a common enemy, and endeavor then and there forever to put an end to their personal difficulties as an appropriate place.

The Court here adjourned to meet to-morrow morning at 11 o'clock.

JANUARY 13, 1837.

The Court met, pursuant to adjournment. All present.

Captain Hitchcock's testimony continued.

4. *Question by General Gaines.* What circumstances occurred to change the views and feelings of General Gaines towards General Scott, as expressed by the witness in his last answer ?

Answer. When General Clinch arrived at the Withlacoochee river on the 6th of March, he brought with him certain letters from General Scott, addressed to himself, in which the conduct of General Gaines underwent very severe strictures. It was also reported that General Scott had been much in the habit of making extraordinary remarks upon the movement of General Gaines, even in the hearing of his volunteers. One of the letters alluded to was shown to General Gaines by General Clinch; the other, I believe, was not exhibited, in consequence of the extraordinary nature of its contents, but the purport of it was matter of general conversation in the camp. General Gaines appeared to be much inflamed and highly incensed at these letters and rumors.

[The Judge Advocate here read to the Court the letters (referred to in this answer) from General Scott to General Clinch, dated the 1st and 4th of March, 1836.]

5. *Question by General Gaines.* State what were the motives and circumstances which induced me to undertake the campaign to East Florida against the Seminole Indians in the last winter.

Answer. Major General Gaines arrived at Mobile on the 17th of January, 1836. A few days previous to this, intelligence had been received of the entire destruction of Major Dade and his command in Florida, of about eight officers and one hundred men. I received a message from General Gaines, (being in Mobile myself, and on leave of absence,) requesting to see me. I called upon him immediately, and he stated that he had but a short time previously left his headquarters at Memphis, but with no expectation of being required to take the field against an enemy; that he was without his personal staff; and referring to the intelligence stated above, he did me the honor to request me to join his military family, for purposes connected with the protection of the people of Florida. The day following (the 18th January) further intelligence was received from Florida, to the effect that General Clinch had had a meeting with the enemy; had fought a battle with them; had been abandoned by the volunteers who had joined him, (their term of service having expired;) and that, in consequence, he had been obliged to fall back upon Fort King, where, as the report said, he was invested by the enemy, and in danger of being cut off. It was in consequence of this new information, as I believe, that the order of that date, addressed to Lieutenant Colonel Twiggs, in New Orleans, was issued. General Gaines proceeded to Pensacola, with the view to request the co-operation of the navy on that station, in the purpose he then contemplated of going to Florida. His wishes in this respect had been anticipated. He returned to New Orleans, arriving there about the 26th of January, and the most active exertions were made to receive into the service, and equip for a campaign, the volunteers alluded to in the order above mentioned. The troops, being in readiness to embark, left New Orleans about the morning of the 4th February. During the whole of this period, and for some time after, the prevailing sentiment of General Gaines, as discovered by the whole tenor of his remarks, and by his conduct, was a profound sensibility to the loss of our brave brothers in arms in Florida, and to the exposed condition of the people in that section of the country. Previous to leaving New Orleans, among other reports that were circulated, it was stated that Tallahassee had been burnt and destroyed by the enemy. This and other rumors produced a general excitement throughout the section of country

in Louisiana, that induced extraordinary exertions on the part of the Executive and Legislative authorities of the State; and I suppose it would have been impossible for any officer, situated as General Gaines then was, having proper feelings, and a proper sense of his duty, to have hesitated a moment, but that he must have gone on the expedition to Florida.

In consequence of the indisposition of one of the members of the Court, the Court adjourned to meet to-morrow morning at 11 o'clock.

JANUARY 14, 1837.

The Court met, pursuant to adjournment. All present.

The testimony of Captain Hitchcock continued..

6. *Question by General Gaines.* You have said that General Gaines, while at Camp Izard, on the Withlacoochee, expected the arrival of General Scott at that place, soon after he should hear that the principal force of the enemy were found upon that section of the Withlacoochee. Will you state to the Court the grounds of this expectation—whether it was that he had expressed a wish to know where the principal force of the enemy could be found, or that it was his duty to hasten to that theatre of the war?

Answer. The expectation alluded to in this question, that General Scott would arrive on the Withlacoochee very soon after receiving the information from General Gaines that the Indians were there in force, was founded, first, upon a letter from General Scott to General Clinch, and by General Clinch shown to General Gaines at Fort King, in which he inquires where the enemy's force may be found, (or to that effect,) expressing a strong hope that they would be found in the upper part of the Territory, rather than in what is called the *Everglades*; and from information communicated by General Clinch at the same time and place, that General Scott had despatched a force from Picolata, of mounted men, to Fort Drane; that he himself would be there, as nearly as I can recollect, about the time of the arrival of this force. The time of the arrival, in the opinion of General Clinch, would be within the month of February. The mounted force alluded to in my testimony was referred to, I believe, in one of the despatches of General Gaines from the Withlacoochee.

7. *Question by General Gaines.* Did General Gaines express any other reasons for believing that General Scott would not or could not, upon known principles of military law, hesitate to repair to the Withlacoochee, on hearing of the enemy being at that place? If so, what were the reasons so expressed by General Gaines?

Answer. The confidence of General Gaines that General Scott would come down to the Withlacoochee was without reservation. He appeared to have an undoubting belief of General Scott's being at Fort Drane, and often spoke of his duty to come down, under the circumstances, in the most positive terms. His language on the subject was very strong, to wit: that he must come down; he will be disgraced if he does not come down; he will commit suicide upon his military reputation if he fails to come down—or language of similar import. On one occasion, I took the liberty of suggesting to General Gaines the expediency of pre-

paring litters to move the wounded, in the event of General's Scott's not joining us. He declined authorizing me to give the order, explaining himself by the use of language like that I have stated in reference to General Scott's coming down. In all the conversations had on the Withlacoochee, in reference to the force coming from Fort Drane, General Scott was the officer spoken of as commanding at Fort Drane, and I do not remember a single instance where any doubt was suggested as to his being there. In many conversations with General Gaines at the Withlacoochee, he dwelt with great emphasis upon the great importance and duty of officers complying with their engagements affecting movements in the field, especially in an enemy's country. He considered General Scott under an engagement to be at Fort Drane—the exact day is unknown to me, but about the time of the arrival of General Gaines's despatches to Fort Drane.

8. *Question by General Gaines.* The witness is requested to describe the hammocks near my encampment on the Withlacoochee, and state the time at which that encampment was formed.

Answer. The hammocks bordering the river very nearly united immediately in front of the camp: from this point, both above and below, they gained very rapidly in width, and were extremely dense, especially to the east or above the camp, where the hammock extends considerably back from the stream, but at a distance of several hundred yards from the camp. The river itself has not the bend as represented in the map I hold, the curve being much larger. A slight breastwork was made around the camp on the afternoon of the 28th of February, according to custom.

9. *Question by General Gaines.* How many Indians does the witness believe could have secreted themselves in either of those hammocks, and within 200 to 600 yards of my camp, without being seen by my troops at any time during the day?

Answer. An indefinite number. The hammocks were very extensive, and might have contained, perhaps, three times the whole strength of the nation.

10. *Question by the Court.* Do you know any thing of the motives which induced Major General Gaines to proceed to Florida, after receiving, at Pensacola, the letter of the Adjutant General, dated the 22d of January?

Answer. One of the first remarks made by General Gaines on receiving that letter—I mean in the first interview I had with him—he said he believed it to be his solemn duty to go on. I think he spoke of some pledge made, I believe to the volunteers: but he alluded more particularly to his letter to General Clinch, promising him aid and co-operation. I think all these points were matters of conversation at the very first, and were never deviated from. I took the liberty of urging General Gaines by no means to abandon the expedition at that place, (Pensacola,) giving it as my belief that his presence was necessary to the efficient organization of the troops. I am not positive as to the extent of these remarks at Pensacola; but between that place and Tampa bay they were more or less referred to. It was my belief that his abandoning the troops would be very nearly equivalent to rendering the expedition fruitless. I placed great stress upon the effect of the reputation acquired by General Gaines during the war with Great Britain, and upon his knowledge and experience as a soldier. I do not wish to imply or convey an idea to the

Court that the several officers immediately junior to General Gaines were not officers of great merit : but neither one of them possessed all the requisites united in General Gaines, for securing success to the campaign.

11. *Question by the Court.* What was the amount and character of the force brought by General Clinch to the relief of General Gaines at Camp Izard?

Answer. He brought about five hundred men with him, artillery, infantry, and volunteers, including one troop of mounted men—the number I do not recollect.

12. *Question by the Court.* Would not that force, united with the force then at Camp Izard, have been sufficient to meet the enemy successfully ; or to have pursued them to their fastnesses, with a prospect of finding and subduing them ?

Answer. This question calls for my opinion. I will state that the facility which the Indians seemed to possess, renders it, in my opinion, indispensable to have had a force sufficient to occupy both sides of the river at the same time, in order to operate with effect against them. To sustain this opinion, I will refer the Court to later operations on the Withlacoochee, about the end of March, when a very much larger force came in contact with a body of those Indians, more or less numerous ; being on the same side with them, pursued them several miles, but did not take or subdue them. The more recent operations against those Indians may serve to throw much light upon this question, as in no instance does it appear that a pursuit of the Indians has been successful.

13. *Question by the Court.* Do you believe the Indians were sincere in proposing a truce ?

Answer. I believe they were perfectly sincere. I will remark, in reference to this question, that there was nothing in the manner or matter of the interview which I had with the Indians on the Withlacoochee, to give me the smallest suspicion of their sincerity. There seemed to be a peculiar sadness over them, as if thoughtful of the misfortunes of their tribe, indicating that further hostility on their part was hopeless. I thought them sincere, and in that opinion all who were present entirely concurred with me ; and I am the more inclined to continue in that belief from several considerations. Although wars among Indian tribes are sometimes of very long duration, it is seldom that active warlike movements among them continue for any great length of time. With tribes at war, there may be years of cessation of the war, when a war-party, as it is called, is got up, with considerable formality, with a feast and a war-dance, and the party will make what they call a strike at the enemy, return from the expedition, and celebrate their success, if successful, with the scalp-dance. But this kind of war cannot be carried on against the whites. To carry on war against the whites, the Indians are compelled to embody themselves in large numbers, making it difficult for them to obtain supplies of ammunition, provision, or clothing. In Florida, the enemy had, I believe, been so embodied for some length of time ; they had had, I believe, some special causes for the war, which had, in part, been removed, especially by the conduct of Ocoila near Fort King, and I believed his language to me in council, that “ he was satisfied,” had reference to that conduct. I have heard of other similar instances. The Indians had been successful in the destruction of Major Dade’s command, and they had killed many more than they had lost. General Gaines having taken

a position in their neighborhood, which they had found it impossible to move, they must have seen that they could not, in future, have procured from above the supply of provisions, consisting of cattle, which they had before drawn from thence. The opinion among them, that this position was likely to be permanently held, was calculated to break down their spirit. I have never doubted that the Indians were informed of the movement of General Clinch from Fort Drane on the 5th of March. I believe that the Indians, in the knowledge of this, saw additional reason to suppose that they could not maintain themselves in the country; and that, taking council on the evening of the 5th, they had concluded to make overtures of peace; and I have always believed they would have accepted terms such as would have been worthy of this great nation to dictate to them, had there been authority there to conclude a peace. There was not, in the council I held with the Indians, any thing said about the terms of a peace. They made no proposition to me whatever. They asked for nothing—stipulated for nothing beyond what I have stated in my testimony. They were told by me that they should be sent for to council, but that, in the mean time, they must abstain from war, and promise to attend the council when sent for. They engaged to all that freely, and with apparent alacrity. During the time that the troops remained at Fort Drane, after that, (to wit, from the 11th to the 26th of March,) as I have understood and believe, there was no sign of any hostility of the Indians in that part of the country. They had abundant opportunities to annoy the troops at that post, which were scattered over an extent of country of several miles in diameter, accommodating themselves with wood and water. Even before I left there, and as I have heard afterwards, the officers and men were passing, at pleasure, between the several corps of the army thus dispersed, and provisions were sent to these several corps without once being disturbed. General Gaines and his staff, a party of four, during that time, travelled from Fort Drane to Tallahassee, through a country that had been before, and was afterwards, in possession of the Indians, without molestation, and without suspicion of danger, so far as I know. I have always believed that the Indians had a right to suppose that no further hostile demonstrations would be made against them, until they should have been sent for and heard in council. When the hostile movement took place from Fort Drane, about the 26th of March, the rear was fired upon by the Indians, and, I have understood, a baggage-wagon, or perhaps two, cut off. I have regarded this as an evidence that the Indians were fully informed of the exposed position of the several corps around Fort Drane; but, as long as they could hope to be sent for to council, they abstained from annoying those corps, in compliance with their engagement on the Withlacoochee river.

10. *Question by General Gaines.* What reason had General Gaines for suspending his operations against the Seminole Indians, on and after the 6th of March, 1836?

Answer. The fact that the enemy had raised a white flag; had asked for peace; had been told the conditions; had promised to abide by those conditions, by which they were to have a council with a view to settle the terms of that peace.

14. *Question by the Court.* Were they informed, in council, that a large army was approaching?

Answer. I stated, in the body of my testimony, that I informed the

Indians that General Gaines was but one of several chiefs sent against them by the President of the United States, to enforce a peace upon them. I of course intended to convey to the Court the fact that those chiefs were not alone, but were accompanied by large forces. The object of this information was that stated in the body of my testimony, to assure the enemy of the great power of the white people; that they, the Indians, could not withstand it, and that they would be compelled to submit. I was not myself informed of, and of course did not communicate to the Indians, the time at which these forces would arrive. That information was communicated by the signal-guns, which, I have understood, were directed to be fired by the several divisions of the army approaching the Withlacoochee. The Indians occupied a central position, and were much more likely to have heard those guns than the army divisions themselves. I will add to this answer, that the Indians are, perhaps, the best scouts and spies in the world; and it would have been next to impossible for a large force to have approached their stronghold. in that stage of the war, without their knowledge.

11. *Question by General Gaines.* Was it or was it not *after* the Indians sued for peace, that they were told that other forces were ordered into the country against them?

Answer. It was after they sued for peace.

15. *Question by the Court.* While you were in the fortified camp on the Withlacoochee, were there any preparations made for a sortie by order of General Gaines? If so, state the force or corps, and the officers appointed to the command of the troops ordered for that purpose?

Answer. The troops in the camp were disposed in the form of a square. The order was for one wing of each face of the square to be held in readiness for a sortie, directions being given for the other wing to extend. Colonel Foster would have been one of the officers on the right. I believe General Smith himself would have commanded the sortie on the left. I am not able, at this time, to give the names of the other officers. The order was given on the 29th of February, in the afternoon, and communicated by myself to Colonel Twiggs, commanding the light brigade. A previous order on the subject had, I believe, been communicated by some other officer. It is my opinion that, had the attack been renewed, in character like that of the morning of the 29th, a sortie would have been made; but, after that attack, there was no serious attack made while we were on the Withlacoochee. There were but small parties engaged, from time to time, in endeavors to annoy us. This circumstance was itself a source of alarm, lest the Indians had abandoned that part of the country, to the disappointment of the hope of General Scott, expressed in a letter to General Clinch, and which had been seen at Fort King. The first order for the preparations for a sortie was, I believe, given, not through myself, but through some other officer. Colonel Foster came to me and made a suggestion as to a mere detail, desiring me to communicate it to General Gaines. I did so, and received his orders thereon, which were communicated as above stated. General Gaines, on several occasions, spoke of the probability of an arrival of troops, other than those expected from Fort Drane, especially speaking of Colonel Lindsay, who was supposed to have arrived at Tampa bay, and declared it to be his purpose instantly to move in any direction from which reports of firing might be heard. Log canoes were constructed, and were then in the

camp, with rived boards, to be used for purposes of making platforms on the canoes, to cross the river ; the general saying that he would cross the river instantly, on hearing a gun from the other side.

The Court adjourned to meet on the 17th instant, at 11 o'clock.

TUESDAY, JANUARY 17, 1837.

The Court met, pursuant to adjournment. All present.

Captain G. A. McCall, of the 4th regiment of infantry, a witness, being duly sworn, was interrogated as follows :

1. *Question by the Court.* Will you state to the Court, as nearly as you can recollect, the occurrences that transpired on the Withlacoochee, after the army, under Major General Gaines, reached that place, and during the time it remained in Camp Izard ?

Answer. The army reached the Withlacoochee between one and two o'clock on the 27th of February. On arriving at the encamping ground of General Clinch, the column was halted, and the rear guard left in charge of the baggage-train. With the advance and main column, General Gaines proceeded to the river bank for the purpose of reconnoitring the crossing. A half hour or more had been passed in examining the depth of the water where the trail struck, when the general was fired upon by a party of eight or ten Indians, and, immediately after, the fight commenced from across the river. In half an hour the firing very nearly ceased ; after which, the troops encamped on the ground formerly occupied by General Clinch. The Indians who had acted as guides, then declared that the ford they were seeking must be some miles lower down. The general determined to proceed to the point indicated, and the next morning, a little after sunrise, the columns were in motion for that point. As the advance-guard arrived on the river-bank, the Indians from the opposite bank opened a fire upon them, by which Lieutenant Izard, in command of the advance, was mortally wounded. The advance was immediately sustained by two companies of the 4th infantry ; and one company of volunteers was posted higher up the river. The fire was kept up, at intervals, across the river, until about one o'clock. In the mean time, a working-party had been detailed to prepare canoes and flooring for a ponton bridge, and it was expected that every thing would be in readiness for crossing by noon the next day. At about four o'clock that afternoon, a very loud whooping was heard, as of a party advancing down the river on the opposite side. This was answered by the Indians opposite to us ; and the friendly Indians with us declared it to be Micanopy, whose force they estimated at about eight hundred warriors, coming to reinforce the Mickasuky Indians. They remarked, also, that they must be whipped for three days in succession before they would give up. These circumstances determined General Gaines to write to General Clinch for an additional supply of ammunition and provisions, requesting him to bring down any mounted force he might have with him, as he considered that species of troops essential. The following morning I accompanied General Gaines on a reconnoissance of the ground immediately in front, and on the left of the encampment on the river. Very soon after he returned, the working-party, which was a short distance to

the left of the encampment, was fired upon, and immediately afterwards a heavy fire was opened on three sides of the encampment. The troops had been directed not to throw away a shot, and never to fire without good aim and a fair striking distance. This order was observed with great coolness, and a heavy fire was sometimes sustained for several minutes, without a shot being returned. The fight continued, without intermission, for upwards of two hours, when the Indians retired, and did not make their appearance again that day. The loss of the troops this day was one sergeant killed and thirty-odd officers and men wounded; among the latter were General Gaines and Lieutenant Duncan. After the action the work was resumed, for the purpose of completing the materials for the bridge. That evening General Gaines sent another express to General Clinch, informing him of the occurrences of the morning, saying that he had abstained from a sortie, and should continue to do so until he heard from him, lest a sortie might disperse the Indians, without resulting in any important advantage. On the following morning the Indians did not reappear, as was expected, nor did they appear in force again until the 3d of March, when they directed upon the camp, for about an hour, a fire nearly as warm as that of the 29th of February, and, at intervals, until the 5th of March; on which day, at about nine P. M., a voice was heard hailing the camp. It was at first supposed to be a return express, and he was desired to advance. The voice of the negro was then heard to say "that the Indians were tired of fighting, and wished to come in in the morning and shake hands." He was told that if the Indians appeared in the morning with a white flag, they would be heard. About nine o'clock the following morning, a body of about three hundred Indians appeared some four or six hundred yards in the rear of the encampment, with a white flag. After some hesitation, three of their party advanced, and were met by Adjutant Barrow, of the Louisiana volunteers, who, after a short time, returned and said that the Indians told him they had lost many warriors, desired peace, and were willing to shake hands. Captain Hitchcock was then directed to meet them and hear particularly what they had to say. On his return, he reported that the Indians were apparently subdued in spirit, and seemed extremely anxious to make peace; they had told him they would meet him again in the afternoon, and give him their final answer. About the appointed time the Indians returned, and, after some time passed in conference, a party of Indians, who were in their rear, were fired on by General Clinch's flankers, approaching from Fort Drane in that direction, which broke up the meeting. On the morning of the 8th of March, the Indians not having appeared since the 5th, General Clinch sent an interpreter to ascertain their situation, numbers, and disposition. On the evening of the ninth, General Gaines turned over the command to General Clinch, who assumed command, in orders, on the following morning. That afternoon the troops took up the line of march, under command of General Clinch, for Fort Drane.

2. *Question by the Court.* What was the number of Indians that invested the camp on the Withlacoochee, and how many attacks were made by them?

Answer. The number of warriors on the morning of the 29th was, in my opinion, between twelve and fifteen hundred, including negroes, judging from the extent of ground they covered, their fire, and their war-cry.

On the morning of the 3d, their numbers, though apparently not so numerous as on the 29th of February, were greater than at any subsequent time. They made five or six attacks, or fired into the camp five or six times, altogether : occasional shots were fired both by day and night.

3. *Question by the Court.* No sortie was made on the enemy at the several attacks made on the camp. What were the reasons that withheld or prevented such a movement on the part of General Gaines?

Answer. He did not explain to me, particularly, his reasons; but my impression was, that it would not have resulted in any important advantage.

4. *Question by the Court.* Did no officer, during the siege, urge the propriety of making a sortie?

Answer. I did not myself hear any officer; and my impression at the time was, that there was no officer there who differed with the general on that point.

5. *Question by the Court.* What is your opinion of the ability of the forces under General Gaines, to drive and beat the enemy, if a sortie had been made?

Answer. I have not the smallest doubt that they would have been able to do it; but, from the nature of the ground, the hammocks which bordered the river being thick and extremely difficult of access to the troops, would have enabled the Indians, lying concealed, to deliver their fire, and then, owing to their superior celerity and knowledge of the ground, to have passed through the hammock and crossed the river before the troops could have come up with them; their facilities for crossing the river being great, and the troops without the means of following them.

1. *Question by General Gaines.* What part of the force was out of the limits of my breast-work during the action of the 29th of February; and state whether one or two companies were not often engaged in firing at the enemy across the river prior to the 6th of March?

Answer. There was one company without the limits of the breast-work on the 29th of February. Several companies were engaged in firing at the enemy across the river prior to the 6th of March.

2. *Question by General Gaines.* What is your opinion as to the practicability of ascertaining, a week or two weeks after the Seminole Indians had left a battle-ground or encampment, what number had occupied said encampment or battle-ground? State whether the Indians usually leave at their encampments as much evidence of numbers as the whites usually leave.

Answer. I think it would be impracticable, a week or two weeks after a battle, to ascertain, from the signs commonly left by Indians, what number had been on the battle-ground; and, as a principal object of the Indians in encamping in time of war is to conceal their numbers, it would be extremely difficult, perhaps impossible, to make even a tolerable guess at the numbers that occupied an encampment, unless they had occupied it for some length of time. In reply to the latter part of the question, the Indians do not usually leave at their encampments any thing like as much evidence of numbers as the whites usually leave.

3. *Question by General Gaines.* What were the sentiments and wishes of the Louisiana volunteers, on board the steamboat Watchman, on the 6th and 7th of February, 1836, as expressed in your presence and hear-

ing, in reference to the continuance of General Gaines to command them in person, on the campaign against the Seminole Indians?

Answer. On the arrival of the steamboat *Watchman* at Pensacola on the 6th of February, 1836, it was ascertained that the steamboat Merchant, with one battalion of the regiment of volunteers, under the immediate command of Colonel Smith, commanding officer of the regiment, had sailed the day before for Tampa bay. On landing at Pensacola, General Gaines received the letter from the Adjutant General, notifying him that General Scott had been ordered to proceed to Florida, and directing him to await further orders in New Orleans. On receiving this letter, General Gaines remarked to me that he would go, with great readiness, wherever his services might be most useful to his country, and said then that he thought he should return to New Orleans. I left him immediately to attend to some duties. When the troops learned the purport of the letter received, many of the volunteers collected around me, and inquired if the general intended to proceed or return. I replied, "I believed he would return." They then expressed, in strong terms, their regret at this information; and the general opinion, as far as I learned, was, that he should proceed. After this, the commanding officer of that battalion, Lieutenant Colonel Lawson, came to me and made the same inquiry. I replied as before. He said "he thought General Gaines was bound to proceed, at least, to Tampa bay; that he would be severely censured if he relinquished the command;" and he requested me to urge the general to proceed. He spoke of the confusion that would probably ensue in the event of his giving up the command. Colonel Smith, the next in rank to General Gaines, was willing, through personal regard to Lieutenant Colonel Twiggs, of the 4th infantry, to waive rank with that officer, for the purpose of giving him the command of the brigade; but, if General Gaines relinquished the command of the expedition, Major Foster, of the 4th infantry, and lieutenant colonel by brevet, would assert his right to the command of the brigade, in virtue of his brevet commission, which was senior to Colonel Twiggs's commission in the line, and contention for the command of the brigade would arise, which might cause the separation of the troops, and in that way endanger the success of the expedition." He left me, saying he would call on the general, and converse with him on the subject. I saw General Gaines very soon after this, and he told me he had determined to proceed, at least, to Tampa bay; and that he would be governed by circumstances in his future determinations. On the passage to Tampa bay, he showed me the rough-draught of a letter, which he said he intended to address to General Scott, in case he found him in the field. That letter was announcing his arrival, with the troops under his command, and proposing a co-operation with those under General Scott. He, at the same time, remarked to me that, if General Scott preferred to take the sole conduct of the war, he would, without hesitation, turn over the command to him.

4. *Question by General Gaines.* Did any thing occur at Dade's battle-ground which tended to confirm General Gaines in the determination to proceed to Fort King?

Answer. On Dade's battle-ground, whilst a party, detailed to bury the dead, were collecting the bodies, General Gaines expressed to me his anxiety to know where the enemy was, not having met him, as was expected, on the march to that point, and his desire to know the situation of the com-

mand under General Clinch. He stated that the surest means of acquiring this information was to proceed to Fort King ; but expressed an unwillingness to draw upon the supplies of that post, which might be slender. I then remarked, that it had been that morning mentioned to me that the quartermaster present had been notified by his department that large supplies had been already ordered to Fort King. General Gaines expressed great satisfaction at learning this, and the quartermaster was immediately sent for. He produced a letter from the Quartermaster General's office, dated the 19th of January preceding, informing him that a large supply of provisions had been ordered from New York to Fort King, and thirty thousand rations to St. Augustine from the same point. On receiving this information, General Gaines expressed his determination to proceed forthwith to Fort King ; and the order for the march was given the moment the funeral rites were concluded.

5. Question by General Gaines. On General Gaines's arrival at Fort King, finding neither the supplies nor the troops he had expected, what plan of operations did he decide upon ?

Answer. On arriving at Fort King, finding that the garrison consisted of but one company of artillery, and that the supplies of provisions at that post would only afford him two days' rations, he told me, in conversation, that it was his determination to take up the line of march for Fort Brooke, (Tampa bay,) where he had supplies ; and, should he not find the enemy on the route thither, he would then operate in the direction of Talloptchupko, on Pease creek, for the purpose of intercepting the retreat of the Indians towards the Everglades, should they be driven in that direction by the troops operating above. In proceeding to Tampa bay, the route by Clinch's battle-ground was chosen for two reasons : *first*, because it was the shortest route ; and, *second*, there was a greater probability of meeting the enemy on that route.

6. Question by General Gaines. Was it General Gaines's intention to make a sortie, in the event of his hearing General Clinch's or Colonel Lindsay's guns ?

Answer. General Gaines remarked several times, while lying at Camp Izard, that he should not be surprised at hearing Lindsay's guns on the other side, and, in that event, he would cross immediately and march to his aid ; or, should the Indians engage Clinch on his advance, he would immediately march out and support him.

Captain Thistle, a citizen of Louisiana, and witness, being duly sworn, was interrogated as follows :

1. Question by the Court. Were you in the campaign in Florida under Major General Gaines, in 1836 ; if so, in what capacity ?

Answer. I was. I commanded a company seventy strong, officers included, in Colonel Smith's regiment of volunteers, commanded by Major General Gaines.

2. Question by the Court. Please state to the Court, as nearly as you can recollect, the occurrences that transpired on the Withlacoochee, after the army reached that place, and during the time it remained in Camp Izard ?

Answer. On the 27th of February, I think, as the advance guard approached the river, it was fired upon from across the river, and sustained

some injury. I think there were several wounded. Orders were then given to withdraw and encamp on General Clinch's old encamping-ground. I made some inquiry that evening of the cause of our not crossing the river, (it was understood on our march, before we got to the river, that we were going to a ford,) and I was informed by Colonel Smith that the Indians had made a mistake in some manner; he was not certain whether purposely or accidentally. They stated the ford was two or three miles farther down the river. Next morning, about sunrise, or a little after, the order was given to take up the line of march for the ford. We reached the place we started for about 9 or 10 o'clock in the morning. General Gaines and Colonel Smith, with a detachment, went to examine the river, as I was informed by Colonel Smith. As they were in the act of crossing the river, and partly in the water, they were fired on, and, as far as I recollect, the fire was kept up for some length of time—perhaps an hour, or an hour and a half—with a tremendous war-yell. It appeared to me to extend for a quarter of a mile up and down the river. Being stationed on a rise of ground, I had advantage in hearing the sound. The firing ceased, and orders were given for us to encamp, whilst there was a party making canoes, and others preparing breastworks. The breastworks were thrown up temporarily for the night, and the canoes principally finished—having worked on them till 10 or 11 o'clock that night. I understood that evening that we would cross the river the next day. Next morning I was called upon early, with an order from General Gaines, to have my select marksmen ready to go on the river. About 8 or 9 o'clock I paraded my men opposite to General Gaines's quarters. At that place there were fifty regulars, who had volunteered from different companies. Twenty more volunteered from Colonel Williams's company; twelve from Captain Burk's; and from Captain Kerr's and Captain Alexander's enough to make one hundred and ten—including my own men, thirty-six. I was cautioned by General Gaines to use caution; that he did not send me on the river to have my men killed, but to kill the Indians. Colonel Twiggs shook hands with me, and likewise cautioned me to use great caution—to get men on the river-bank without being discovered by the enemy, if possible. General Gaines had previously given me the same orders. I was accompanied, for about one hundred and fifty yards, by Captain Kerr, to show me where I had better enter the hammock, as, the day previously, he had been on the river-bank, where Lieutenant Izard got his mortal wound. My men were then put in open order. I directed them to get on the river the best way they thought proper, so as not to be discovered—either to crawl or roll, and take their stations as near ten feet apart as circumstances and shelter would permit. I then commenced examining the line, to see if my order had been obeyed. I found that every man had taken the caution to get behind a log or tree; and where they had nothing of this kind, they laid up chunks, so they could fire under the chunk and over the bank. I had almost reached the extreme left of my line, when one of my men fired. I, being within ten steps of him, asked him, in a low voice, "what he fired at?" He said he saw one Indian, and that, having deliberate aim, he fired at him. I returned from him to take my station, when I heard the crack of from fifteen to twenty rifles upon my side. Instantly there was a war-yell, and a heavy fire opened, the whole length of the line, from the enemy on the opposite side of the river. I had a space of about sixty yards of open ground to pass;

in which space there was one pine tree standing by itself. I saw one of my men behind that tree. Then I attempted to cross this space, which I did by crawling. I should judge, from the shots fired at me and at this man, partly concealed behind this tree, that fifty or sixty shots were fired during the time I was passing this distance of fifty or sixty yards. I heard a tremendous fire in the rear, which I took to be an attack on the camp. About that time, or a little after, a recall was sounded. I had my non-commissioned officers stationed at intervals, which enabled me to pass the command for every man to keep his place and not leave his shelter, deeming it imprudent to have my men leave their cover under such a heavy fire as was then made on my small detachment. I had estimated the number to be from three hundred and seventy-five to four hundred and fifty of the enemy, across the river, from thirty-five to forty yards wide. In about an hour afterwards, the Indians principally ceased firing. I had just commenced passing the order to throw out flankers as the second recall was sounded, which was immediately obeyed. I returned to camp in good order; ten men slightly wounded. On reaching the camp, I found a number of men that had been wounded, amongst them General Gaines. I perceived that the palmettoes were partly burnt in the enclosure of the camp, on the east side; which was effected by a fire communicated from the outside by the Indians, and, as I was informed, the Indians had come up to within thirty or forty yards of the camp, under cover of the smoke, while the palmettoes were burning. That evening I made a verbal report to General Gaines, that I was confident that I had done the enemy some considerable injury, for I had seen three fall under my own eyes. He then gave me some instructions, as I was on the reserve, informing me they had had a very severe attack on the camp, and expected one that night; charging me particularly to give orders to my men not to fire in haste; that if the Indians undertook to storm the work, to let them come up to within twenty-five or thirty yards, so that every man might be sure of his object, as we had not a great supply of ammunition. I was informed that from 1,200 to 1,400 Indians had made an attack on the camp during my absence. The next day we repaired our breastworks, and a few Indians showed themselves and fired on those who were preparing the timber, and the men were driven in. I made some inquiry as to our movements the next day; and I understood an express had been sent to General Clinch to come down with a reinforcement, and that it was not deemed proper to make an attack upon the enemy, or cross the river, until such time as we had a force able to pursue him. I will remark, that it was my opinion that we ought not to undertake to charge the enemy unless we had mounted men. My reason for this was, the Indians are lightly clad, and nothing to encumber them but the rifle, powder-horn, and the bullet-pouch. The general usually cautioned the men, and gave them great praise for not wasting their ammunition. On the 2d of March, a few shots were occasionally fired into the camp. On the 3d of March, a very severe attack was made on the camp. I think it commenced about 10 o'clock, and continued for an hour or an hour and a half, keeping at a long distance—some few occasionally coming up under shelter of some underbrush, &c. to within seventy-five yards of our camp. I took great care that day, as there had been some little argument previously, as to the number of the Indians, to estimate their number, and I could not make the number of Indians and negroes less than 1,200 or 1,400. The Indians

having ceased firing, the main body of them withdrew ; some fifteen or twenty would occasionally throw in a few shots, on the east side of the camp. I proposed the next day to General Gaines to give me permission to mount about twenty or twenty-five of my men on the broken-down pack-horses ; the general's reply was, that he expected a reinforcement ; and this charge which I wished to make could not be very effectual, on account of the horses not being in order for a charge. It readily struck me the general was in the right, and I wrong. The next day (the 4th of March) there were a few scattering shots fired, as the staff were dealing out some corn to the troops, but no one wounded to my knowledge. On the 5th, I think, there were some shots fired.

The Court here adjourned to meet to-morrow morning at 11 o'clock.

JANUARY 18, 1837.

The Court met, pursuant to adjournment. All present.

Captain Thistle's testimony continued.

On the evening of the 4th or 5th of March, some one hailed the camp, which we took to be a reinforcement from Fort Drane. He was answered by Captain Burk, the officer of the day, asking what was wanted. He said the Indians were tired of fighting, and wished to make peace. He was told to come the next morning with a white flag, and they should be heard. The next morning, accordingly, at the appointed hour, I saw a group of Indians, about 300, in the rear of our camp, from five to six hundred yards. Then two or three advanced slowly towards the encampment, and hailed the camp. They were answered by Adjutant Barrow to come nigher, that they should not be fired on, or injured. After some conversation with General Gaines, Adjutant Barrow took a white handkerchief, crossed the breastworks, advanced a few yards towards the enemy, and placed himself on a stump, and showed his flag. After some hesitation on the part of the Indians, they sat upon a log, about 275 steps from the breastwork. They were then met by Adjutant Barrow, afterwards by Captain Hitchcock and some others of the staff. I don't know what there took place, as I was not present at the interview. The same evening they met again, about 3 or 4 o'clock. Whilst they were holding the council this time, they were fired upon by General Clinch's advance guard, and instantly they fled to the hammock. Colonel Twiggs was standing, at this time, in front of my company, which was a reserve. General Gaines had always cautioned me to have my company always in readiness, especially during the time they were holding the council, lest the Indians should betray their trust. He had not, however, the least idea they would ; but he said there was no harm in being prepared for them. Colonel Twiggs, when the Indians were fired upon, expressed, "O my God! what a pity! what a pity!" He said, that if it had not been for this unfortunate circumstance, every thing would have been accomplished in the way of peace. I made observations myself, that I wished that General Clinch had had the good fortune to kill the whole of them ; for I did not believe, myself, that there was any sincerity in them, no more than to suit their convenience. But I would state that those officers, according to the best of my judgment, did sincerely believe that

the Indians were sincere. That evening, about 9 or 10 o'clock, our camp was hailed, in front, by the same one who had previously hailed us, asking for two days to see Micanopy, and to hold a council among themselves. I heard them agree to return, at the end of two days, to council. The next day I asked permission from General Gaines to take six men and examine the river, to find the crossing-place. He told me he had no objection, that Colonel Smith would give me permission; which was done. I selected my men, and left the camp about 2 o'clock. I took an easterly direction, and entered the hammock. I discovered a large Indian trail; it led into a swamp which was very thick with undergrowth and brier-vines. You could scarcely see a man ten yards, unless it was in the Indian trail. I followed this Indian trail for about a mile. It was miry. I then came to a run, or branch of an old river. I found one part of the trail led across this branch, on a large log; the other turned to the left. I followed the one that went to the left about one hundred yards, where I found a ford. I crossed, and came on to a small island, about 20 yards wide: this descended from the river. The bank on the opposite side of the river was plain to my view, being seven or eight feet higher than the bank on which I stood. I hesitated for a moment to approach the bank. I saw the opposite bank was completely fortified by trees, which had fallen accidentally. I likewise placed myself behind a large cypress that stood on the summit of the bank. I had no shelter from the opposite bank, except in front; and, from my view of the river, the enemy could have thrown in fires on me right and left. I then discovered several rafts on the opposite side, which appeared to be lashed together with vines or raw hides, and, apparently, extended across the river. The view I took of this position was, that the Indians had selected it, and that they could make good their crossing, and beat us, if we had pursued them to that point, against all our force, provided they had not been more than 500 strong; but I always judged their force something like three times that number. I returned to camp between 10 and 11 o'clock that evening. I went immediately and reported myself and my men, and learned that it had been suggested by Colonel Lawson, and, I also understood, by General Gaines and Colonel Smith, that they were afraid I had met with some serious accident. Nothing more of any importance took place. We waited three days for the return of those Indians in council, as they had promised us. I had often had conversation, between that period, with a number of the officers, and they all believed the Indians were sincere. Some went so far as to say that I was stubborn, and would not believe the truth when it was so plain before me. After the end of two days I asked Adjutant Barrow, who had great confidence in the sincerity of the Indians, what he then thought of their promise to return. He said he would not hesitate to cross the river and go to the enemy's camp. We waited two days longer; no Indians made their appearance. A negro, named Primus, I think, was sent the evening of the 7th, if I mistake not, to see what information he could obtain from the enemy. He had not returned when we took up our line of march for Fort Drane, under the command of General Clinch, on the evening of the 10th. The evening of the 10th I was informed that Primus had returned. I made some little inquiry, and was informed that the Indians had gone thirty miles into the Wahoo or Black swamp, and were there with their warriors and families. We marched to Fort Drane, where we encamped; we lay there for a

number of days. While we were on the Withlacoochee, and after the council was held with the Indians, our men used to fish on the river bank without being molested by the enemy.

1. *Question by General Gaines.* The witness has stated that he did not believe in the sincerity of the Indians in suing for peace on the 5th and 6th of March, 1836; and yet that he, on the 6th, asked and obtained leave to go out of camp, and did go some distance out of camp with his six men. The witness is desired to state whether he would have believed it quite safe or prudent to go out so far with so small a detachment, if the Indians were indeed insincere in their attempts to sue for peace?

Answer. I will first state that I consider myself a first-rate woodsman. I have hunted with the Indians, I have traded with them, and know their character, I think, almost as well as any other person who has not spent the principal part of his life with them. I would consider myself capable of keeping myself concealed from the enemy, if I did not choose to come in contact with him. I would refer to one instance, when I was under the command of Major General Scott. After we had effected our crossing, in part, of the Withlacoochee, and the Louisiana regiment of volunteers had crossed the river, my station being on the left, mine was the last company that crossed. I had been previously detailed to cover the landing. After crossing, I took my station on the left. I was ordered to erect a breastwork, and send 'out 5 or 6 men as spies or picket-guard. After my men had commenced the work, and my picket-guard set out, I took the liberty to take with me my first lieutenant. We proceeded in the direction of the crossing-place I have alluded to; being then on the opposite side from that at which I had before examined the crossing. We passed between a pond on the right, and the river on our left, about the distance of three-quarters of a mile from camp, where we heard some Indian giving the word of command to his warriors. I took this to be the word of command, from the sound rapidly advancing, and being the same tone of voice that we had the pleasure of hearing so often in our camp. We immediately retraced our steps. I gave directions to my lieutenant to tell my picket guard to conceal themselves behind trees. I gave this information of the approach of the enemy to Colonel Smith, and likewise mentioned to him that I concluded this was the Indian's advance guard.

At the request of Major General Gaines, the Court here instructed the Judge Advocate to enter on the record certain extracts from the documents which accompany the Proceedings in the case of Major General Scott. These extracts are as follows:

EXTRACTS.

From General Scott to the Adjutant General, dated Augusta, Georgia, January 31, 1836—Document No. 18.

"It is now my opinion that the Seminoles cannot be promptly reduced to submission by a force much short of five thousand men, and that the greater part of this force ought to be mounted."

From the same to the same, dated Augusta, Georgia, February 2, 1836—Document No. 20.

"Cannot the 4th infantry be ordered from Louisiana to the theatre of operations?"

From General Scott to Colonel Lindsay, dated Augusta, Georgia, February 2, 1836—Document No. 29.

"By the 20th of this month, at the latest, I hope to be in sufficient force on the St. John's, or at Fort King, or at Fort Drane, to commence a system of vigorous operations against the Seminole Indians.

"It is unofficially reported that Lieutenant Colonel Twiggs, with a detachment of the 4th infantry, has been ordered from New Orleans to Tampa bay. If this should be true, your force may be sufficient to enable you to leave the necessary garrison, and to operate a junction with the main army at the distance of three or four marches."

From General Scott to the Adjutant General, dated Augusta, Georgia, February 6, 1836—Document No. 34.

"The moment we are in force on the St. John's, and take up the expected line of operations, St. Augustine will become an interior position. That line of operations will probably be, first, from Picolata to Tampa bay, in order to open communications with Forts King and Drane, and with Colonel Lindsay. My object will be to cut the enemy off from the country to the left of that line, and to force him to the right. If I succeed, the theatre of operations, though favorable to him, will be much less bad for us than the southern part of the peninsula.

"I am more and more persuaded that I have not called for too large a force. By the 25th instant I may, perhaps, have in Florida, in all, 4,000 men, and by March, 500 more. It is not probable that I shall delay offensive movements quite so long."

From the same to the same, dated Savannah, February 16, 1836—Document No. 38.

"Colonel Hawkins, the aid-de-camp of Governor Eaton, arrived here a few days since, bringing despatches; and he has set out on his return, with my answer. I had anticipated his inquiries, generally, by my letter to his excellency, dated the 1st instant, (a copy of which has been forwarded,) and I have said to him, more in detail, that it will be preferable to place any force he may have in the field, or find it necessary to call out, (not exceeding from 400 to 600 men,) in *defensive* positions for the protection of the settlements of Middle Florida, as it was still my hope to cut off the hostile Indians from the southeast, and drive them towards those settlements.

"I learn by newspapers that from 600 to 1,000 men, mostly volunteers, have sailed from New Orleans for Florida—I think Tampa bay. I have not called for a single man, of the regulars or militia, from Louisiana. Perhaps the reported force volunteered for the temporary protection of Tampa bay, as certain companies sailed hence and from Charleston for the specific defence of Picolata and St. Augustine, some weeks ago. Hence I could not rely on the troops from Louisiana for the general purposes of the campaign, and, therefore, did nothing to arrest the detaching and the march of troops from this quarter. But if Tampa bay has been reinforced from Louisiana, and to the extent reported, Colonel Lindsay will be in a condition, on arriving with the Alabama regiment, to act offensively in any direction, and independent of support."

General Scott to General Clinch, dated Savannah, February 12, 1836—Document No. 41.

"I am unable, as yet, from the want of recent information from the theatre of war, and better topographical knowledge of that theatre, to

lay down any definitive plan of operations. I shall rely much on communications to be received from you, on all points necessary to the formation of such plan; but my present idea is, that it may be best to move upon the road from St. Augustine to Tampa bay, till joined by Colonel Lindsay from the latter place, and, if possible, to cut off the greater number of the Indians from the fastnesses below that line."

General Scott to the Adjutant General, dated Picolata, Florida, February 26, 1836—Document No. 47.

"Observing, by returns from Brigadier General Clinch, that his supplies were but limited, and desirous of placing at Fort Drane subsistence for the right wing for at least twenty days, in order to give confidence and effect to any movement to be made from that point, I have been occupied in devising means to send thither additional supplies to the amount of seventy tons. To enable me to do this, I have been waiting for the wagons, horses, and pack-saddles, provided at Augusta and Savannah. Some of these wagons have arrived, but, as yet, no horses. The remainder of that baggage-train cannot be expected here from Savannah in less than ten days.

"It seems that Major General Gaines arrived at Fort King from Tampa bay on the 22d.

"I have time to add no more. All my plans are thwarted—the principal of which was to move in concert from Fort Drane, Volusia, and Tampa, on the 8th of March, upon the enemy, who are supposed to be (at this time) principally upon the Withlacoochee."

Notes appended to General Scott's Order No. 4, dated Picolata, February 26, 1836—Document No. 55.

"The right wing was intended to be concentrated at Fort Drane (say) by the 8th of March, when it was expected that General Clinch would have had all the Georgia troops, companies of United States artillery, and the detachment of United States dragoons, in all, about 1,400 men.

"On the 25th instant it was known that General Clinch would have had, but for General Gaines, 19,000 rations for men, and about 3,000 bushels of corn for horses. That amount of subsistence at Fort Drane I should more than have maintained by the 8th of March, by means of the baggage-train expected from Savannah and Charleston, and by the aid of *boating* on the Ochlawaha to Payne's landing."

General Scott to the Adjutant General, dated Picolata, March 2, 1836—Document No. 52.

"All hope of sending supplies hence by the Ochlawaha is abandoned. We have to rely solely on the road to Fort Drane, which is bad enough, and the horses and mules which were to have followed me closely from Savannah have not arrived.

"The company of mounted Georgia volunteers that arrived here about six days ago, and with which I had expected to march to Fort Drane, refused to be mustered into service, and refused to come under the rules and articles of war, with the exception of a small part that remains. The rest went off, without leave, from their gallant and patriotic captain (Keanan) yesterday and the day before. The other four companies of the same battalion are this moment reported to have arrived on the opposite shore.

have sent an officer over to muster them into service. If I can get two

of the companies, I shall be most happy. I may obtain the four, but will march with one to Fort Drane. Some mounted men are indispensable, and I know not that the United States dragoons will arrive in a month. I wish I had never relied upon the arrival of that detachment. Expecting it hourly at Savannah, (I *had* expected it at Charleston as early as the 4th ultimo,) I left all the horses, in order that the mounts might first be chosen, and the remainder of the lot sent here for the baggage-train. That error I corrected, as far as practicable, by an order given to Lieutenant Dimmock on the 21st ultimo. No horses, however, have arrived from Savannah.

"We have heard nothing recently from Colonel Goodwyn's regiment of mounted South Carolinians, but presume it has reached Jacksonville below.

"I ordered from Savannah the little steamer belonging to the Engineer department, called the *Essayons*, to be sent here for the express purpose of communicating with that post, (Volusia,) and of supplying it with stores from Picolata; but that boat, like every thing else (almost) left behind, has not arrived.

"I have at length received a letter from Colonel Lindsay, dated at Mobile the 13th ultimo. He was about to set out for Tuscaloosa to hasten the Alabama regiment. It is now evident that he cannot be at Tampa before the 10th, probably the 15th, instant.

"Brigadier General Eustis cannot cross the Ochlawaha earlier than the 14th instant."

General Scott to General Clinch, dated Picolata, March 1, 1836—Document No. 60.

"By the arrival, at daylight this morning, of the express from Fort Drane, I have your note of yesterday's date, accompanied by a letter to you from Major General Gaines, dated the day before.

"I regret, in every point of view, the premature and unauthorized movement from Tampa bay, made by that general, and the very awkward and responsible position he has placed himself in by his subsequent march from Fort King. I presume that, as instructed, you sent him my order No. 4, dated the 26th ultimo. By that he saw that if the troops he brought with him from Tampa bay could not be subsisted at Fort King by means of supplies derived from this place through the Ochlawaha, it was expressly commanded that the column should march to Volusia without delay, where subsistence in abundance would be immediately provided. But he had, before that order reached him, taken from Fort Drane a large part of the subsistence relied upon for a more systematic course of operations, and decamped. The order, however, I take it for granted, was sent after him, and in time to reach him within twenty miles of Fort King. In any event, the responsibility of his movements and actual position is his own, for he must have known, as early as the 10th ultimo, if not before, that I had been charged with the general direction of the war in Florida, and that by interfering he constituted himself an interloper.

"Even if you had sufficient stores on hand and means of transportation, I should, under the circumstances, command you to send no subsistence to him, unless to prevent starvation; but you have neither. Let him, therefore, in time, extricate himself from the embarrassment he has

placed himself in, by marching upon Volusia, where, I have no reason to doubt that 20,000 rations, sent hence on the 27th ultimo, have safely arrived. As he appears to have a retreat open to him, or is in no peril to prevent his taking that step, you, of course, will make no detachment or movement to join him.

"The train you have ordered hither is expected to-night. As yet, we have here but few wagons to add to your number. The whole train shall be immediately loaded with subsistence, and sent back to Fort Drane. I have only time to say that, should the troops under Major General Gaines be compelled to march back to Fort King or to Fort Drane, instead of proceeding to Volusia, as heretofore commanded, and as I still wish that they should do, on account of the extreme difficulty of sending subsistence to your neighborhood, you will only issue rations to them for their current subsistence, and not for further false expeditions.

"As the first consequence of the arrival of the troops from Tampa bay to Fort King, and the demand made upon Fort Drane for subsistence, I was obliged to order back a battalion of Georgia volunteers that had then been nearly two days in route to join you.

"The company of mounted men from the State, now on the opposite side of the river, refuse to be mustered into service, and refuse to come under the rules and articles of war. The other companies of the same battalion may follow their example. If they do, I shall lose no time in ordering the whole back to their homes.

"Major Gates, with his three companies, has not arrived, and I have no intelligence respecting the United States dragoons of a recent date. Finally, the horses for some days expected from Savannah have not arrived. These embarrassments may detain me here I know not how long.

"The left wing is moving upon Volusia with system and success. The South Carolina foot constitutes the advance, and I suppose the mounted regiment from the same State is now crossing the St. John's at Jacksonville.

"Send another copy of my Order No. 4 to Major General Gaines, and a copy of Order No. 1, which is enclosed for the purpose. The former is reiterated, so far as respects the march to Volusia, if this be practicable; and enclose him a certified copy of this letter, for his government and your justification. I remain, in haste, your obedient servant, Winfield Scott.

"P. S. I am instructed by Major General Scott to say that the quartermaster's return did not accompany your letter of the 27th ultimo. No return has been received of your ordnance or ordnance stores, particularly the fixed ammunition for muskets. Please to send one. Respectfully, A. Van Buren, aid-de-camp."

General Scott to General Clinch, dated Picolata, March 4, 1836. Doc. No. 69.

"I still presume that Major General Gaines will be obliged to fall back on Fort Drane, which increases my anxiety to send the wagons (with some additions) loaded. I would prefer much that the force brought with him was back to Tampa bay, or rather that it had not marched from that place; *provided* that the movement fails to crush the enemy, or to terminate the war. The worst result, next to the loss of that fine body of men, or a third of it, would be mere success in driving the enemy into the lower country, where, I suppose, it would be almost impossible for us to

follow—I mean *below* the waters of Charlotte harbor. Hence my indignation that an isolated attack should have been made from your vicinity, well calculated to produce that result, and at a time, too, when you knew, and Major General Gaines must have known, through you, (and before,) that my plan, with ample means, was to move simultaneously upon the Withlacoochee in three columns—from Tampa bay, the upper crossing on the Ochlawaha, and Fort Drane—so as to make it impossible for the enemy to escape to the lower country.

“I have not yet supposed that Major General Gaines has not his retreat upon Forts Drane or King perfectly in his power. On account of subsistence, if he can cut his way through the enemy to Tampa bay, I should much prefer that his force should be there; and when I wished him to march or send that force to Volusia, it was because it would be infinitely more easily subsisted there than at Fort Drane. Should he, however, be in any difficulty in operating a retreat from the Withlacoochee, I certainly wish you to afford any succor that the slender means within your reach may allow; and this, doubtless, you would render without any special permission to that effect. If the force return to Forts Drane or King, it must be sustained for at least five or six days from the means derived from this place; and hence, I *now* prefer it should become a part of the right wing, rather than take that quantity of subsistence from you, and march back to Tampa bay.”

General Scott to the Adjutant General, dated Picolata, March 6, 1836. Doc. No. 68.

“I at length know that the South Carolina mounted regiment reached Jacksonville yesterday. It is destined to make part of the left wing.

“Besides, Brigadier General Eustis has necessarily been compelled to wait for the South Carolina mounted regiment, which cannot reach St. Augustine before the day after to-morrow, and Volusia before the 12th.

“If the column under Major General Gaines had fallen back upon Forts Drane or King, the right wing would have wanted nothing but subsistence, and the forces now in this vicinity, and known to be coming up, to act with vigor and effect.

“To add to my numerous vexations, the wagons reported to have been shipped at Baltimore in the Arctic have been left behind.

“I send no more troops, for the present, to Fort Drane, on account of the difficulty of subsisting them there. If Major General Gaines shall not fall back on that point, it will be indispensable to wait for Captain Wharton.”

Aid-de camp Van Buren to the Adjutant General, dated Fort Drane, March 25, 1836. Document No. 97.

“Captain Wharton, with his detachment of dragoon recruits, reached this the day before yesterday.”

General Scott to the Adjutant General, dated between Picolata and Garey's ferry, March 9, 1836. Document No. 71.

“I have just set out for Fort Drane, via Garey's ferry, on Black creek, with two companies of regulars, and intending to take with me from the latter place the small battalion of mounted Georgians, (heretofore mentioned,) under the command of Major Douglass. Lieutenant Colonel Bankhead is at the head of the first detachment, and the two together

may make a total of about 240. But even this small force may be important to rescue Major General Gaines.

"I had not received the slightest information of the operations on the Withlacoochee (official or otherwise) of a later date than the 29th ultimo up to this morning, and had concluded that he had effected his march, with more or less success, against the enemy upon Tampa bay; when, at daylight, the steamer that I am now in arrived, and brought the rumor which is confirmed by the two accompanying notes from Paymaster Lytle, received about six hours afterwards. On the reception of the rumor, I immediately commenced preparations for this movement; but, being delayed by the necessity of unlading and relading the boat, I am now at anchor at the mouth of Black creek. I hope to put the troops in march from Garey's ferry early in the day to-morrow, and to reach Fort Drane with a small escort the day following. It is possible that even these little detachments of horse and foot may reach the Withlacoochee in time to render a valuable service.

"I am aware that the movement that I am making may be condemned, if regarded in any other light than a rescue, as premature. Colonel Goodwyn's mounted regiment only arrived at St. Augustine last night or this morning; and consequently the left wing cannot be in force on the Ochlawaha, in the direction of Pelaklikaha, earlier than the 17th, or up with the enemy before the 20th instant. Colonel Lindsay, who may have already arrived at Tampa bay, cannot operate more than two days' march from that place, for the want of transportation—Major General Gaines having taken away the horses which were there, and the basis of the right wing is merged in the force brought by that general into the field, and must participate in his success or failure. If it falls back with him upon Fort Drane, it must suffer great loss; and if it follow him to Tampa bay, it will be wholly out of position.

"In this, and even a greater state of uncertainty, I have been held since the 26th ultimo, the day after I ordered back Major Cooper's battalion of Georgia foot, to prevent starvation at Fort Drane; and though daily from that time in the expectation of receiving from Savannah horses and serviceable wagons, not one has arrived. The quantity of subsistence that will be at Fort Drane (say) to-morrow, will only be that sent from Picolata on the 6th instant, viz: 17,497 rations of bread and flour, 11,000 rations of pork, (with beef-cattle in the neighborhood,) 8,000 rations of beans, some coffee, and vinegar, &c. And the troops now about to proceed, perhaps, as far as the Withlacoochee, will not have the means of taking with them the rations for more than six days.

"I beg leave to recapitulate the causes of my great deficiency in the means of transportation: 1st. The wagons and horses which I knew Brigadier Clinch to possess early in February, have been more broken down by hard service and bad roads than I had expected to find them. 2d. I had, upon what was considered in Georgia, and even at Picolata, the best information, confidently relied upon the use of the Ochlawaha as late as the 2d instant. 3d. No bacon has arrived, and the difference between it and pork, including wood and brine, is fifty per centum against the latter. 4th. The wagons purchased at Charleston and Augusta, by Assistant Quartermasters L'Engle and Peyton, are generally poor, and many of them unserviceable. 5th. The six or ten wagons actually reported to have been shipped at Baltimore in, I think, the Arctic, with Major Gates,

were all left behind. 6th. Of the 19,000 rations known to be at Fort Drane about the 25th ultimo, nearly the whole have been drawn by a fore not expected by the Government or myself to appear in that quarter. And, 7th. Not a horse for the baggage-train left by me at Savannah, or which I have since ordered to be purchased by Assistant Quartermaster Dimmock, has arrived in Florida.

"On the 21st ultimo, when I was but twenty hours from Savannah, I sent back by a steamer that was met, an order to Lieutenant Dimmock, to ship about forty horses for the baggage-train to Picolata. This order was strongly reiterated by a return steamer, five days afterwards; and again, on the 2d instant, by another boat, he was instructed to send immediately, and by the speediest conveyance, seventy horses for the train, and six four-horse wagons. I had this morning a report from him, saying, after he had received my first and second orders, that he had sent all the horses wanted for draughts and packs by land, except a few which were to come as packs with Captain Wharton. Now, as the latter was about twenty-four days in New York, after receiving orders for Florida, and expected to remain ten in Savannah, he cannot be looked for in this neighborhood before the 18th or 20th instant. The other parts of the lot were, it seems, given as packs to the tenth company of South Carolina mounted men, and sent forward in a drove. They must, it is feared, arrive in a state unfit for the baggage-train (say) about the 16th instant. Such has been the failure of human agents. The weather has been equally adverse.

"If the force on the Withlacoochee should fall back on Fort Drane, it will be seen from the foregoing, that a part at least must, probably, march upon Volusia or Garey's Ferry to be within reach of subsistence. Instructions have been left behind me to send forward rations, should the means of transportation arrive in time, and the troops already in the neighborhood of Picolata—Major Cooper's and the remaining company of Major Gates's battalions. I have also desired Brigadier General Eustis, in the same event, to order to Fort Drane two companies of mounted men of Colonel Goodwyn's regiment, and a fourth order will go back in this boat to Lieutenant Dimmock, on the subject of horses and wagons.

"Some rifles and the tents arrived this morning at Picolata; but Colonel Goodwyn had marched through six or eight storms, without cover, and now all companies in march are to be reduced to three tents each.

"P. S. Please remark that, in his letter to Brigadier General Clinch, dated at New Orleans, the 2d ultimo, Major General Gaines speaks of '*an efficient co-operation*,' promises to be 'in readiness' at Tampa bay 'by the 8th of the present month, to form a *junction at or near* that place, with the force under your command, whenever, *and as soon as*, in your judgment, *your force shall be sufficient to justify the movement*,' and concludes by saying, 'a sufficient quantity of ammunition and *provisions* have been transported to Fort Brooke, *to divide with you*, until further supplies are received.' Yet he did not wait till the brigadier gave notice that he was 'in force;' came to Fort King and swept nearly the whole of the subsistence collected at Fort Drane. A copy of that letter is in your office, and I now enclose one from Governor Eaton, from which it will appear that Major General Gaines knew at Tampa bay, about the 14th ultimo, that I had been charged with the direction of

this war. He first heard this at Pensacola, and received Governor Eaton's despatch at Tampa, as I can establish ; hence his haste, and neglect of the assurances given to Brigadier General Clinch ; his isolated attack," &c.

Paymaster Lytle to General Scott, dated Fort Drane, March 5, 1836. Document No. 72.

"I have been directed by General Clinch to inform you that your communications of yesterday's date reached him at this post after he had mounted his horse, and was on the move with the forces under his command, to escort supplies to General Gaines. He directed me likewise to say to you that the distance from this place to Garey's (or Black creek) is about the same as the distance from here to Picolata. As you may wish, however, to obtain all the information possible on the subject, I will take the liberty of adding, from my own knowledge, that the road from Garey's to this place is *sandy*, consequently almost invariably dry, while the road from Picolata here is muddy after heavy rains, particularly such as we have just experienced.

"Colonel Gadsden arrived here from Tallahassee on the 4th (yesterday) and accompanied General Clinch this morning to the Withlacoochee."

From the same to the same, dated Fort Drane, March 8, 1836. Document No. 73.

"By direction of General Clinch I opened your communication of the 6th instant, which arrived late last night, in advance of the wagons. You will perceive by my letter of the 5th, that General Clinch, with all the forces at this posts, and 100 mounted men from the vicinity, had left for Withlacoochee, to escort a small supply of cattle, ammunition, &c., to General Gaines, having received the night before a third express from that officer. No word has been received from either of these generals since the 5th. When General Clinch left here he expected to be back on the 9th.

"The probability is that the wagons will return without an escort, there being at present no troops here, and should General Clinch get back before the wagons depart, his men may be too much fatigued to march again immediately ; but this of course is merely conjecture. I am satisfied, however, that General Clinch would advise that an escort accompany the wagons back to this place when reloaded. Captain Graham being directed by General Clinch to send back the wagons for supplies after their arrival here, will send them to Garey's, it being the best road.

"N. B.—The amount of General Gaines's last express to General Clinch, dated 3d instant, was merely copies of his previous letters, with a note, stating that the Indians were still around them, but little or no fighting taken place since his last communication."

General Scott to the Adjutant General, dated Fort Drane, March 14, 1836. Doc. No. 77.

"On my arrival here, I found that the force which had been upon the Withlacoochee had fallen back on its vicinity.

"Brigadier General Clinch, with some means of subsistence, and about 600 men, (of whom 150 were mounted Floridians,) joined Major General Gaines on the 6th instant. The force under the latter had already been

reduced to the necessity of commencing on horses and dogs for their subsistence. After receiving that timely and important succor, the army remained in position until the 10th.

"It may be remarked that, from the time of entrance into the intrenched camp, up to the retreat in this direction, not a sortie was attempted; and that, to save the pride of the higher officer, the command was relinquished to the next in rank, in order that *he* might give the order to retreat.

"A copy of Major General Gaines's order, yielding the immediate command of their joint forces to Brigadier General Clinch, is enclosed. This extraordinary paper I have but little time to comment upon. The poor sneer against me, as the *diplomatic agent of the War Department* is in character with all his recent acts; for, at the moment of the arrival of the succor, on the 6th, he had already opened a negotiation with the enemy, in which it is said, on good authority, he was willing to leave them in the *quiet* possession of the country below the Withlacoochee, until the arrival of the 'diplomatic agent;' but in which Powell insisted that that river should be the perpetual boundary between us and the Seminoles. But for Brigadier General Clinch, I have no doubt some treaty, on the one or the other basis, would have been formed between the parties. He alledged the positive instructions of the War Department against all negotiating, and he enabled Major General Gaines to save the original force with him. Not a sortie was made from the intrenched camp, from the time of its formation up to the retreat, and on the approach of the succor a large detachment of the enemy had take a position to intercept the retreat in this direction. How, under such circumstances, it can be alleged that the enemy *had been beaten*, it would be difficult to reconcile with facts.

"I have reason to hope that the enemy remains nearly in the same position as before the isolated, and therefore false movement of Major General Gaines. This is fortunate.

"I have instructed Brigadier General Eustis, after souring the country through which he will have to pass to some extent, to place his column in position, somewhere in the neighborhood of Pelaklikaha, about the 25th instant. Colonel Lindsay, by the same day, is to be with his force at Chickuchatty, (about two marches from Tampa,) and means are suggested to each, in order to multiply the chances of communicating with each other.

"The right wing will move hence (say) on the 24th instant, to attack in front. This column will pass the Withlacoochee about half a mile below the late intrenched camp, where there is a good ford; and of which Major General Gaines might have availed himself if he had had the strength or inclination.

"The 25th instant is appointed in order that I may be certain of giving Brigadier General Eustis and Colonel Lindsay time to put themselves in position respectively, and further, to give time for the harassed troops lately under Major General Gaines to recruit themselves for effective operations. The same interval is equally important to enable Brigadier General Clinch to receive from Picolata or Garey's Ferry, the quantity of subsistence indispensable to give confidence to the movements of the right wing. I have time to add no more.

"Enclosed are copies of the order of Major General Gaines, mentioned above, and of Brigadier General Clinch's letter to me."

General Scott's Order No. 13, dated Fort Drane, March 14, 1836. Document No. 82.

General Thomas Woodward, of Macon county, Alabama, is authorized, aided by Majors J. H. Watson and W. B. Flournoy, to accept the services of any 500 Creek warriors, to be employed as auxiliaries in the present war against the Seminole Indians. Should General Woodward decline taking the command of the friendly Indians, Major Watson, assisted by Major Flournoy, will take the command of them."

General Scott to the Adjutant General, dated Fort Frane, March 20, 1836. Doc. No. 94.

"This wing is waiting to give time for Brigadier General Eustis and Colonel Lindsay to gain their respective positions, Pelaklikaha and Chickuchatty, for the arrival of the wagons sent hence to Garey's Ferry for subsistence; the last of which may be expected by the 24th, with (it is hoped) some additional teams for Savannah, and for the troops from New Orleans to recruit their strength.

"Some wagons (six) and twelve horses arrived at Picolata, from Savannah, about the 12th instant, and a few horses or packs, with the last company of South Carolina mounted men, a little before. All those means of transportation were indispensable to the left wing.

"Brigadier General Eustis, in a letter just received, doubts whether he can reach Pelaklikaha earlier than the 27th or 28th. The movement of the right wing may or may not be delayed a few days accordingly. This will depend on a calculation of Lindsay's movements, and the amount of subsistence that may arrive by the 24th from below. The latter may be so small as not to allow of any delay here, as we must take enough to give the right wing time to beat the enemy, and to march to Tampa bay."

General Eustis to General Scott, dated Volusia, 22d of March, 1836. Document No. 96.

"Owing to a *misunderstanding* of my orders, on the part of Brigadier General Bull, a part of my force, viz: Lieutenant Colonel Butler, with four companies of mounted men, and Major Kirby, with two companies of artillery, have not yet reached this place."

General Scott to the Adjutant General, dated Tampa bay, April 12, 1836. Doc. No. 103.

"The long halt here has been for the purpose of recruiting the horses a little—corn and hay, though of an indifferent quality, being found in abundance. This forage has been sent from New Orleans, by Major Clark, assistant quartermaster, under my orders of the 14th of February.

"The three columns were for several days within thirty miles of each other. Owing to the direction of the wind, Clinch's column heard the signal-guns fired by the other two, but neither of the latter could hear any response."

General Scott to the Adjutant General, dated Picolata, April 30, 1836. Document No. 114.

"That officer (General Gaines) it is said, caused Powell and his chiefs to be informed, by way of inducing them to agree to accept the Withlacoochee as a temporary boundary, that large armies were approaching, which would fill up the Indian country, or crush every thing in the way. The wily chiefs profited by the information: sent off their families, and dispersed their warriors into small parties. In this way Powell expects to make good his threat, viz: "*that he would protract the war three years.*"

General Scott to the Adjutant General, dated St. Augustine, May 20, 1836. Doc. No. 146.

“What I meant to state at the conclusion of my last letter, was this: the troops called for by me came into the field at too late a period, generally, to enable me to prosecute the war to a conclusion.”

[End of Extracts.]

The Court adjourned to meet to-morrow morning at 10 o'clock.

JANUARY 19, 1837.

The Court met, pursuant to adjournment. All present.

Captain Hitchcock presented himself before the Court, and asked permission to add to his testimony the following, as a continuation of his answer to the 15th interrogatory by the Court:

I will state to the Court that yesterday, on referring to some official documents from Tampa bay, I saw it stated that General Gaines had an escort from Fort Drane to Tallahassee. That statement is not correct; but, I presume, was founded up this: that Major McLemore was about to proceed from Fort Drane in the direction of Tallahassee, with a mounted troop; that he tendered to General Gaines, unsolicited, as I believe, on the part of General Gaines, a small detachment of his troop, as an escort. This detachment remained a day, or perhaps a day and a half, and commenced its march as an escort to General Gaines. But General Gaines, after the first day's ride, dismissed the escort, halting himself, permitting the escort to leave him, and afterwards moved on without it. I did not refer to this in my testimony, because the escort was entirely unsolicited, I believe, and not even desired. Major McLemore's troop was returning to their homes at the time—they were not detached as an escort.

In consequence of the absence of witnesses, the Court adjourned to meet at a future day.

JANUARY 27, 1837.

The Court met, pursuant to adjournment. All present.

Lieutenant A. M. Mitchell, of the 4th regiment of infantry, a witness, being duly sworn, was interrogated as follows:

1. *Question by the Court.* Were you in the campaign in Florida, under Major General Gaines, and in what capacity?

Answer. I was in the campaign, and was in command of a company of the 4th regiment of United States infantry.

2. *Question by the Court.* When, and how many attacks did the enemy make upon the army, whilst fortified at Camp Izard, and with what results?

Answer. They fired upon the breastworks, I think, seven days in succession, from the 29th of February until the night of the 5th of March. It was attended with a loss of a few lives, and some wounded; and also resulted in their sending in some one to know if we were willing to treat with them.

3. *Question by the Court.* What did you estimate the number of the enemy?

Answer. I supposed there must have been seven or eight hundred, judging from the yells and from the firing.

4. *Question by the Court.* Were there any preparations made for a sortie, and what were the views of the officers generally, on the subject of a sortie?

Answer. My impression is that the field officers were called together by General Gaines, to consult on the expediency of making a sortie. It was the impression of many of the officers that a sortie should be made, and might be attended with favorable results.

5. *Question by the Court.* What is your opinion of the ability of the forces under Major General Gaines, to drive and beat the enemy, if a sortie had been made?

Answer. It is my opinion that they could have done it with a great deal of ease, and I don't think it was doubted by any one in the breastwork but that we could have done it.

6. *Question by the Court.* Would it have been safe for the troops to have left the breastwork, and retired on Fort Drane, without the additional force brought by General Clinch?

Answer. Yes.

7. *Question by the Court.* Was it the impression, generally, that the Indians were sincere in proposing a truce?

Answer. It is my opinion that it was the general impression of those who were inside the breastwork.

1. *Question by General Gaines.* What was the general opinion among the officers at Camp Izard, on the 29th of February, 1836, as to the number of Indians engaged in the action that day?

Answer. I heard different opinions expressed. Some supposed that there were 1,000 or 1,500; others thought that there were not so many, perhaps not more than 500 or 600. As far as I can recollect, it was Colonel Twigg's opinion that there were 800 or 1,000. As to the opinion of others, I can't recollect their names.

2. *Question by General Gaines.* The witness is desired to state the means he had of judging as to the number of the enemy near Camp Izard; and whether he had ever been much accustomed to seeing large collections of Indian warriors?

Answer. The only means I had of judging was what I could see from the breastwork, from their yells, and from their firing at the breastwork. I have never been accustomed to seeing large bodies of Indians.

3. *Question by General Gaines.* The witness is desired to state what officer, if any to his knowledge, expressed to General Gaines the opinion that a sortie should be made?

Answer. I don't know of any having expressed to General Gaines that opinion. I referred to the conversation of the officers among themselves.

4. *Question by General Gaines.* The witness having stated that the Indians fired on Camp Izard during several days, he is desired to explain whether the actions of the 27th and 28th of February did not take place before Camp Izard was constructed?

Answer. We arrived at the Withlacoochee on the 27th, and approached the river near where General Clinch had crossed it on the 31st of December; and whilst some of the officers were searching for a suitable

place to cross the river, (it being very deep, and a very dense hammock on the opposite side,) they were fired upon by the Indians, who were secreted in the bushes. The firing was continued on both sides, for perhaps two hours. It being late, and not being able to ford the river, it was deemed expedient by the general to march back a short distance, and encamp for the night. On the morning of the 28th, we took up the march down the river, to seek for a place where there was an open pine woods on the opposite side. After proceeding about four miles, the advance guard, under the command of Lieutenant Izard, whilst marching along the bank of the river, was fired upon from the opposite side, by the Indians, and Lieutenant Izard and several others were wounded. The command was then halted at that place, and I think the general called together the field officers to consult whether we should proceed further. This is, however, merely my opinion. The general came to the determination that we should encamp there for the night. The breastwork spoken of was put up that afternoon. We remained there the next day, after putting up the breastwork about three logs high. The Indians commenced firing upon us from every direction, about 10 o'clock next morning, after the breast-work was put up; and they fired upon us from that time, as before stated, until the 5th, occasionally, except the first day, when the fire was continuous for three or four hours. On the 5th they commenced firing earlier, and continued later, than on any previous day—from about 4 o'clock in the morning till about 5 or 6 in the afternoon. It was on that night that a negro called to the breastwork to know if a white flag would be a protection to the enemy in case it should be brought in.

5. *Question by General Gaines.* Was the witness with the right wing of the army of General Scott, in March and April, 1836; and what is his opinion as to the position of the families of Indians on the Withlacoochee, during the movements of that army, and how is the opinion derived?

Answer. I was with the right wing of the army under General Scott. After we had crossed the river at Camp Izard, I marched up to the cove, and crossed over a swamp, the morning after our arrival; there was a well-beaten track, with the appearance that many persons had been in the habit of travelling over it. I being among the number who crossed over first, had an opportunity of observing small tracks, which I took to be children's tracks, and which gave me the opinion that the families of some of them had not long since crossed that place. In our pursuit of the Indians during that day, we followed a well-beaten Indian trail, leading up the river, that had been recently very much used.

6. *Question by General Gaines.* Was the search made by that wing, into the cove of the Withlacoochee, for the Indians, sufficient to determine whether the Indians or their families were or were not in the cove?

Answer. I should say it was not.

7. *Question by General Gaines.* How long was the army in the neighborhood of the cove, in March and April; and was its march conducted through the cove, or in the adjacent open country; and were any detachments made, or other means resorted to, in order to ascertain whether the Indians or their families had dispersed from the cove?

Answer. We arrived at the cove on the 30th; crossed the swamp I have referred to on the 31st; pursued the Indians three or four miles, as well as I could judge, and returned to our encampment, and proceeded

thence to Tampa bay. There were no other detachments made, or other means resorted to, to my knowledge, on that march, to ascertain whether the Indians or their families had dispersed from the cove ?

8. *Question by General Gaines.* The witness is desired to state whether any, and if any, how much, subsistence was left at Fort Drane on the 26th of March 1836 ; and what quantity, or how many days' rations were received by the troops of the right wing, on that day, or prior to their leaving Fort Drane ?

Answer. I don't know how much subsistence was left at Fort Drane. As well as I can recollect, we started with ten days' provisions.

Captain G. S. Drane, of the 2d regiment of artillery, a witness on the part of Major General Gaines, being duly sworn, was interrogated as follows :

1. *Question by General Gaines.* It having been stated, officially, to the War Department, and more recently urged before this Court, by General Scott, that the Indians had removed their families from the cove, so called, on the Withlacoochee river, and had also themselves dispersed from that place, in March and April last, and thereby eluded the pursuit of the army, and having attributed these alleged facts to the movement of General Gaines, I therefore call the attention of the witness to the following points, and desire his answers, viz : Were you with the right wing of General Scott's army in Florida, on its march from Fort Drane to Tampa bay, and thence returning back to Fort Drane ? Did you find any Indians south of the Withlacoochee, at or near the cove ? Were they pursued ? How far, and with what effect ? State the extent of the cove, and how far it was penetrated by the army, and whether, from the search then or subsequently made by the right wing, any opinion could be formed, as to whether the Indians were or were not in force in the cove ? and what is the opinion of the witness, as to whether the families of the Indians were in the cove or not ? and on what the opinion is founded, and whether the opinion was general, so far as the witness knows ? Was there a post established near the cove, on going down to Tampa bay ? When was the post relieved, and were the Indians and their families, in the opinion of the witness, still in the cove, and was the cove then penetrated by the army ? Was the cove, especially south of the Withlacoochee, penetrated by either of the other divisions of General Scott's army, to wit : the left wing or centre in the campaign ? And what is the opinion of the witness, as to the force of the Indians on the Withlacoochee, about the month of March, and upon what does the witness found his opinion ? And what, in the opinion of the witness, is the strength of the Seminole nation, including the Mickasuky Indians ?

Answer. I was with the army under General Scott, on its march from Fort Drane to Tampa bay, and thence back. We met with Indians at what is called the lower point of the cove ; probably a force of about 250. They were pursued by the army into the cove, about, I think, not more than two and a half miles. I am not able to say with what effect. From the best information I have been able to collect, the cove is about 15 or 20 miles from its commencement to its termination, near the Wahoo swamp. The army penetrated this cove no more than about two miles and a half in pursuit of the Indians. At that particular time, I think no

opinion could be formed as to whether the Indians were or were not in force in the cove. It is my opinion that the families were there. I do not believe that the opinion was general. I formed my opinion on the fact that after Major Cooper had established his stockade, southwest of the cove a short distance, the army had left him but a few hours, when he was attacked by the Indians from the cove, or coming from that direction; and believing that the operations of the army on the Withlacoochee were not such as to disturb their families, as we were some distance from their strong hold. The post of Fort Cooper was relieved on the return of the right wing of the army. The Indians and their families were still in the cove at that time, in my opinion. The army at that time marched through a very small portion of the cove, on the south side, in the marching to the crossing of the Big Withlacoochee, on the Tampa road. I do not know whether the cove was penetrated by either of the other divisions of the army. I am not able to say what was the force of the Indians on the Withlacoochee in March. Judging of the numbers that usually resort to that river, from what I saw on the 31st of December, 1835, I should think they would be able to bring into the field about 1,000 warriors, including negroes. I have always estimated the strength of the Seminoles, including the Mickasuky Indians, from the best information I could collect, and from my own personal knowledge, to amount to eighteen hundred or two thousand warriors, including negroes. The whole of this force did not serve on the Withlacoochee, nor do I believe the whole force has ever been there at one time. The Mickasuky tribe to which I refer inhabit the country north of the Withlacoochee, in the direction of Fort King. Their range of country extends also in a south-westerly direction from Fort King, better understood as the Wetumpka country.

2. Question by General Gaines. The witness is desired to state whether any, and if any, what number of cannon were fired by the troops at and near the Withlacoochee in the latter end of March, 1836, and by whose order; and whether the Indians in and about the cove were not near enough to hear those cannon; and whether it is not his opinion that they were thereby apprized of the movement of the troops against them under General Scott?

Answer. There were cannon fired, the number I do not recollect. They were fired, as I understood, by order of General Scott. I think the Indians were near enough to hear the cannon, and undoubtedly they must have been apprized of the movement of the troops by the firing of those cannon. I do not think, however, that the reports of the cannon affected them much, or that they were much alarmed at the reports.

3. Question by General Gaines. Did the witness see any of the Indians near the Withlacoochee, as General Scott's right wing marched towards Tampa bay, holding up their hands, and thereby intimating a desire to have a parley? The witness is desired to state all he knows in reference to the matter here referred to.

Answer. I saw some Indians on the Withlacoochee, while we were crossing. I saw them after we had crossed, and previously to the attack at the foot of the cove. I did not see them holding up their hands, nor do I know myself that they did so. It was the impression of the army generally, and I saw some officers who informed me of the fact, that they had seen some few of them come out and hold up their hands and make

the sign of peace. The interpreter and guide were sent out to meet them, and while talking with them, they saw evidently a disposition made among the Indians to capture the individuals, instead of holding a peaceable talk. They were evidently desirous of getting possession of Billy Omathla, the interpreter, and the guide Nero. I conversed with Nero on the subject afterwards. Both Nero and Billy Omathla were decidedly of opinion that the Indians meant to prove treacherous, and not to hold a talk. The next morning, after the Indians had made the signs, the 4th regiment of infantry, on approaching the spot, was fired upon by the Indians. Both Billy Omathla and Nero informed me that, while talking with the Indians, they saw, both on the right and left, several Indians creeping through the palmetto and grass, with a design to get in their rear. My knowledge of the character of Billy Omathla and Nero is such, that I do not believe that fear had any influence over them at all, and I believe they were very sincere in the opinion they gave.

4. *Question by General Gaines.* The witness is desired to state whether the St. John's river, at Picolata, has, at any time within his knowledge, been impassable during a whole day, as to prevent the common ferry-boats from crossing, and whether the steamboat "Essayons" could or could not cross in any state of the winds.

Answer. I have known the river to be so rough that the common ferry-boat could not cross for two or three days; but this is not usual. I have never known the river to be so rough as to prevent the steamboat Essayons, or a boat of her class, with the assistance of scows, to cross the river and land on the opposite bank. The width of the river St. John's, at Picolata, is about one and three-quarters of a mile. I have crossed it a number of times myself, and two or three times with my company and baggage, and never was detained.

The Court adjourned to meet to-morrow morning at 11 o'clock.

JANUARY 28, 1837.

The Court met, pursuant to adjournment. All present.

The Court was occupied until the 30th with the case of General Scott, when it adjourned to meet on the 31st, at 11 o'clock.

JANUARY 31, 1837.

The Court met, pursuant to adjournment. All present but the Judge Advocate, who was prevented by indisposition from attending the Court; whereupon the Court adjourned to meet to-morrow morning at 11 o'clock.

FEBRUARY 1, 1837.

The Court met, pursuant to adjournment. All present.

Colonel D. E. Twiggs, of the 2d regiment of dragoons, a witness on the part of Major General Gaines, being duly sworn, was interrogated as follows:

1. *Question by General Gaines.* What was your opinion of the sincerity of the Indians in their proposition for peace at Camp Izard, the 6th of March last; and please state what motive, if any, the Indians could

have had for treachery ; and, finally, have you heard any observations on the subject from Indian countrymen, or other persons acquainted with the Indian character, calculated to strengthen or destroy your opinion ?

Answer. The first sight, (the night of the 5th,) when the Indians came and hailed the camp, I did not believe them sincere, or that they had any intention of coming in at all. The next morning, I went to General Gaines and told him, "whenever you show me men coming from the moon, I will believe the Indians are coming in." Before we separated, some person standing near spoke and said, "here the Indians come." In a short time, having halted some distance from the breastwork, one or two of them came forward with a white flag. One of the volunteer officers, (I think Adjutant Barrow,) went out and met them. When I saw them conversing with Mr. Barrow, I then changed my opinion, and believed they were in earnest. I have thought a good deal on the subject, and I could think of no motive for their being otherwise than sincere. I judge they were sincere from what I had seen of the upper part of the Creek nation on previous occasions. It was at the Hickory Ground with General Jackson, I think in 1813, after the first Indian came in there, I never heard of another act of hostility on the part of the nation towards the whites. The next occasion was in the Seminole campaign with General Jackson—I know after the first Indian came in there was no act of hostility. I know this, for I was left in the country. I had a conversation with Colonel Dill, at Jacksonville, who has been a long time in that country. After detailing the circumstances to him as they happened at Fort Izard, he said he had not a doubt but that they were sincere in their wish for peace, so much so, that he advised the people to go back again on their plantations, on the road from Micanopy to Fort Drane.

2. *Question by General Clinch.* Please state what conversation you had, if any, with General Clinch, on the subject of the effect of the movement of General Gaines upon the operations of General Scott's army in East Florida ?

Answer. I had some conversation with General Clinch on the subject, and he stated to me pretty much what he has stated to the Court—that General Gaines's movement had no influence on the movements of General Scott. He stated to me a few days ago, that he regretted he had not been a little more explicit, and informed the Court that the wagon-train at Fort Drane had time to go to Picolata or Black creek (I don't recollect which) for provisions, and return time enough for that part of the army to get in position, agreeably to the plan of operations.

3. *Question by General Gaines.* Colonel Twiggs is requested to state whether he met a wagon-train, about the middle of March last, between Fort Drane and Black creek, and if so, whether the wagons were or were not accompanied with a guard ?

Answer. I left Micanopy, ten miles on this side of Fort Drane, on the 19th of March last. On that day, I met the wagon-train with the provisions, about twenty miles from Black creek. I inquired of the person having charge of the wagon-train, (called the wagon-master,) where the escort was. He said he had none, and did not see any guard with it at all.

4. *Question by General Gaines.* Be pleased to state whether the Louisiana volunteers were, or were not, ready or willing to march at any

time after the middle of March, 1836, and what were your reasons for the opinion which you entertain in this case ?

Answer. I have no doubt but the Louisiana volunteers, had they been ordered, would have marched the next day after their arrival from the Withlacoochee near to Fort Drane. I had a conversation with General Smith on this subject, and his opinion and mine coincided, that both our commands, the regulars and volunteers, were ready to march, and that we should not ask to detain the army on their account.

5. *Question by General Gaines.* Colonel Twigg is requested to state what he knows on the subject of making a sortie at or from Camp Izard, in February and March, 1836?

Answer. I received an order on the 29th of February, after the Indians had retired from making an attack on us, to hold the command in readiness for a sortie. After the 29th, in conversation with General Gaines, I think he stated to me he had written to the officer in command at Fort Drane, and he expected him down with some mounted troops; that as soon as they made their appearance, the command was to leave the breast-work to attack the Indians. I think he stated to me that he had so written, that he would not make the sortie until the troops should come down. I had frequent conversations with the General on the subject, and he stated to me his views: that we would do no good by going out; that the Indians would fly before us, and that as soon as any troops made their appearance, we should go out and attack the Indians. It was expected that troops would arrive from the direction of Tampa bay, on the opposite side of the river. This was before the 5th of March.

6. *Question by General Gaines.* Be pleased to state whether any, and if any, what officers of the light brigade expressed a doubt as to the sincerity of the Indians in their desire to fight no more and make peace, after they came in with a white flag on the 6th of March, 1836?

Answer. I never heard one express a doubt while I staid there—not one.

1. *Question by the Court.* What is your opinion of the number of the enemy that invested Camp Izard; and were the forces under General Gaines sufficient to have driven or dispersed the enemy, had a sortie been made?

Answer. I estimated the Indians on the 29th, that were firing on Camp Izard, at about 1,000. I believe the force was quite sufficient to have driven them at any time.

2. *Question by the Court.* Do you believe that the Indians were aware of the destitute situation of the troops as respects provisions, before they made overtures for peace?

Answer. It is impossible, in my opinion, that they could have had any knowledge of it.

3. *Question by the Court.* What is your opinion as to the propriety of making a sortie from Camp Izard, whilst invested by the enemy?

The witness here requested the Court to excuse him from answering the question. It would be merely an expression of opinion, and *might* place him in a situation towards General Gaines which it was his wish to avoid.

General Gaines observed that the answer of the witness could make no difference in his feelings towards him; but that he was then preparing a question similar in import to the one just proposed by the Court, which

would relieve the witness from any delicacy which he might feel on the subject.

The Court excused the witness from answering the question, when General Gaines proposed the following :

7. Question by General Gaines. Colonel Twiggs is desired to state whether or not it was his opinion, at any time between the 27th of February and 6th of March, that the enemy could have been subdued by making a sortie, or whether it would not have contributed only to disperse the Indians? and state whether the Indians could not have concealed themselves in a thick hammock, at any moment, in three or four minutes' time; and state whatever opinion he entertained on the subject at the time, and whether he communicated to General Gaines such opinion?

Answer. To the first part of the question, from the 27th to the 28th, and including the 28th, the Indians were on the opposite side of the river, and we had not boats to cross the river. From the 29th of February to the 5th of March, we could, at any time the Indians made their appearance, have driven them; but we had not the means to follow them. I cannot say whether we should have dispersed them or not; as our camp fronted the river, there was an extensive hammock and scrub on the left. There was a hammock also on the right, both of them two or three hundred yards of the camp, or probably a shorter distance, and the Indians could have taken shelter in either of those hammocks in a few minutes. I never gave General Gaines, while at Camp Izard, any opinion as to the propriety of a sortie.

8. Question by General Gaines. Colonel Twiggs is requested to state whether any officers, and if any, who, of the light brigade, at Camp Izard, in February and March, 1836, expressed the opinion that a sortie ought to have been made?

Answer. Not one, while I was there, expressed such an opinion. I had, and as far as I could learn from the opinion of the command generally, they had entire confidence in General Gaines, and we were willing to submit to his judgment.

Captain Drane, a witness, again called.

5. Question by General Gaines. Please state what reasons you had, if any, after returning with the right wing of the Florida army to Fort Drane, for believing the families of the Indians were still in the cove, and whether any doubt remained on your mind as to their being there in March and April last?

Answer. The night before the right wing of the army crossed the Big Withlacoochee, returning, I was called at 12 o'clock that night by Major Cooper, who was the officer of the day, to listen to the talk of both Indians and negroes, on the north bank of the Big Withlacoochee. The next morning the army had marched but about half a mile, when we crossed a trail of Indians coming out of a swamp, passing to the south. A little further on, about two or three hundred yards, we discovered a trail leading into the swamp. The trails were evidently fresh, and made that morning. The second day after crossing the Little Withlacoochee, on our route to Fort King, the army crossed several small trails, some leading to the east and to the west; those west leading into the Wahoo

swamp, or in that direction. The day following (the day we reached Fort King) our left flankers were attacked by a small party of Indians that soon fled, also in the direction of the Wahoo swamp, or Withlacoochee. On our arrival at Fort King, we were there informed that Billy Omathla's wife, and one other squaw, I believe her sister, had been captured during the absence of the army from Fort Drane, and taken off by the hostile Indians. Some days after the army arrived at Fort Drane, Billy Omathla's wife made her escape, and returned to the right wing of the army to her husband. I had several conversations with her (through the interpreter.) She informed me that the Indians had not moved from the Wahoo swamp and the coves on the Withlacoochee; that their women and children were still there; that they had planted their grounds; that the crops were very fine, and described the corn and rice as being about a foot high. She stated that, in her opinion, they would have a better crop than they had ever had. I inquired of her if the Indians had moved their families from there at any time during the war? She informed me that they had not. She there had had a conversation with Powell, who advised her to quit her husband and join the Mickasukies, and not return back to the white people; that his men had whipped all the white men, and driven them out of the country, and that they had gone home; that he meant to assemble his warriors and drive the pale faces from Fort King, and then he would go to Fort Drane and drive them away from there, where they would get a large supply of ammunition; they would then drive all the *alachewas* (meaning volunteers) out of the country, as far as the Suwannee, when they would have all the country from the Suwannee south to themselves. She informed me that she had heard Powell repeatedly say, during the time she was in captivity, that he never would make peace with the white man. These are the reasons why I have never had a doubt that the Indians had never quitted the cove, or their strongholds on the Withlacoochee. After the army had returned from the Withlacoochee, with General Gaines, I was sent to Oakland, five or six miles northeast from Fort Drane, where I remained until General Scott arrived. During the time I occupied that post with my command, and a few days after I returned from the Withlacoochee, very frequent signs of Indians were discovered on the plantation of Colonel John McIntosh, and crossing the main road leading to Micanopy. I had frequently seen fires on the opposite side of Orange lake, during this period, and I felt satisfied they were Indian fires. The Indian women spoken of in this answer, were captured during the time the army was absent on its march from Fort Drane to Tampa bay. They returned from captivity after the army arrived at Fort Drane from Tampa bay.

6. *Question by General Gaines.* Please state, as far as you know, the disposition of the troops at and near Fort Drane, from the 11th to the 26th of March; whether individuals or small parties were exposed to the enemy during that time; whether any attack was made by the enemy; and whether, from your knowledge of the scouting habits of the Indians, they could have been ignorant of the exposed situation of individuals, parties, or detachments, during the time specified?

Answer. After the army returned from the Withlacoochee, they were encamped in a range of country, extending, I think, eleven or twelve miles, Fort Drane being the centre. The only troops on the left of the centre were my own command at Oakland. Those encamped in a south-westerly direction from Fort Drane, or on its right, were the Louisiana

volunteers and the regulars that had been at Camp Izard. There were small parties and individuals passing to and from the encampments, and were exposed to the enemy. I never heard of their being attacked, or any attempt to attack them. The Indians were not ignorant that these parties were passing back and forth, as frequently in going between Oakland and Fort Drane, I saw small Indian trails crossing the road in both directions passing to the north and south. I also saw Indian tracks in many other directions, as far north as within seventeen miles of the ferry at Picolata.

7. Question by General Gaines. Is the witness of opinion that it was known or believed at Fort Drane that the general commanding in Florida had required 500 Creek warriors as an auxiliary force against the Seminoles; and does the witness know, or believe, that information of that requisition was communicated to the Seminoles by means of a negro named Primus?

Answer. Not to my knowledge. I had understood that Primus was sent into the nation, but I was not at that post at the time; nor do I know for what purpose he was sent.

8. Question by General Gaines. Does the witness suppose that, from the information likely to be communicated by Primus to the Seminoles, they could have anticipated any other than a spirit of exterminating hostility from the troops, on the movement of the right wing?

Answer. I am not able to say.

The Court here adjourned, to meet to-morrow morning at 11 o'clock.

FEBRUARY 2, 1837.

The Court met, pursuant to adjournment. All present.

Lieutenant Mitchell, a witness, again called.

9. Question by General Gaines. Lieutenant Mitchell is requested to state what was said in his presence or hearing by the Indian women who had been with the hostile party, as to the location and views of the party in the spring or summer of 1836?

Answer. On the 12th of October, we arrived within about four miles of the Withlacoochee. The advance guard surprised and took some Indian women and children prisoners. These women were interrogated by Governor Call, as to the then location of the Indians, and they reported that the Mickasuky tribe was still on the Withlacoochee, in the cove. The Indian families, they said, were on the opposite side of the river from where we were at that time, and the negroes and their families were on the side with us, between the river and a lake that emptied into the river. They said that Micanopy, with his party, was located in the Wahoo swamp.

10. Question by General Gaines. Lieutenant Mitchell is desired to state whether any guards were ordered to accompany the baggage-train, or other wagons, or other parties that passed to and from Black creek, and round about Fort Drane, to and from the several encampments, from to six miles from Fort Drane, in March, 1836?

Answer. I am unable to say whether a guard accompanied the bag-

gage from Black creek ; but there never was a guard, that I know of, that accompanied the train from Fort Drane to the encampment occupied by the 4th infantry and the Louisiana volunteers, about four miles from Fort Drane. Individuals and small parties were frequently passing between Fort Drane and the several encampments. Individuals were also in the habit of hunting in the vicinity of our encampment.

11. *Question by General Gaines.* Does the witness believe that wagons, or small parties, or single individuals, would have been allowed to pass and repass between the camp of the Louisiana volunteers and Fort Drane, if no effort had been made by the enemy to sue for peace ?

Answer. I know it was the opinion of the Louisiana volunteers and the 4th infantry, that there was no danger in passing and repassing in the vicinity of the encampments, and that it was their opinion that the Indians were sincere in their proposition for peace at Camp Izard. As to whether this impression prevailed throughout General Scott's camp at Fort Drane, I am unable to say.

12. *Question by General Gaines.* Is the witness of opinion that it was known or believed at Fort Drane, that the general commanding in Florida had required 500 Creek warriors as an auxiliary force against the Seminoles ; and does the witness know or believe that information of that requisition was communicated to the Seminoles by means of a negro named Primus ?

Answer. I heard it spoken of at Fort Drane, by a gentleman named Watson, who said he could go and bring these Indians down, if permitted by General Scott ; but it is my impression it was not believed that he would ever bring them. He, however, went off with that intention ; but returned without the Indians. The reason why he did not bring them, I am unable to say. I don't know of any such information having ever been communicated to the Indians. The reports about camp were, that Watson had gone after these 500 Indians. I think Primus was sent to the enemy after these reports were in circulation, and that he did not return.

Mr. Cummings, of the United States navy, a witness on the part Major General Gaines, being duly sworn, was interrogated as follows :

Question by General Gaines. Were you on an expedition from Tampa bay to Pease creek, or its neighborhood, about April, 1836 ? and if so, state what evidences were discovered of Indians being or having been in force in that neighborhood.

Answer. I was with General Smith at that time (the last part of April.) I was at Charlotte harbor when he arrived there ; joined him and remained with him until he re-embarked for Tampa bay. While with General Smith, I saw no Indians at all. An old trail, probably of some ten or twelve men, was the only sign of Indians that we met. While I was in the neighborhood there were some signs of Indians in the vicinity of the residence of the collector ; these Indians had been there before General Smith arrived. We went up Pease creek in canoes about forty miles, returned to the old encampment, and then went through the country about fifty or sixty miles, and saw no signs of Indians but the old trail I have mentioned.

General Gaines here presented to the Court the paper numbered 38, (see documents,) being a copy of the "New York Courier and Enquirer," of the 2d of April, 1836.

At the request of General Gaines, certain passages in that paper (editorial) were read to the Court by the Judge Advocate; after which, at the instance of General Gaines—

Colonel William De Peyster, of Florida, was duly sworn as a witness, and interrogated as follows :

1. *Question by General Gaines.* The witness is desired to state whether he has, or has not, reason to believe that the article from the "Courier and Enquirer," of the 2d of April, 1836, was written by or at the suggestion of Major General Scott? If so, he is desired to state the grounds of his belief.

Answer. I don't believe that it was written by General Scott, or with his knowledge. Further, I do not believe that General Scott ever published or caused to be published an article of the kind, or that there was ever one published with his knowledge. I have been associated a good deal with General Scott, and have known him to disapprove of any publication of the kind; and have heard him say, himself, that he never did authorize or request any public or private publication, and that he did not believe that any of his staff had published any thing. As to this individual publication, I never saw or heard of it until this moment, and it appears to be an editorial article, written by the editor.

2. *Question by General Gaines.* The witness is desired to state whether he has or has not heard Major General Scott express in conversation sentiments similar to those expressed in the article alluded to in the last interrogatory? If so, state when and where.

The witness here asked whether General Gaines expected him to relate a private conversation with a friend. He had no objection on his own account to answer the question. After some remarks made by General Gaines and the witness, the Court was cleared, and it was decided that the question was not a proper question to be put.

After the Court was resumed, General Gaines asked that his case might be laid over until the 9th instant, to give time for an important witness to present himself for examination, and to afford him time also to prepare his final Address: whereupon the Court adjourned, to meet on the 9th of February, at 11 o'clock A. M.

THURSDAY, FEBRUARY 9, 1837.

The Court met, pursuant to adjournment. All present but General Atkinson, in consequence of whose absence the Court adjourned to meet to-morrow morning at 11 o'clock

FEBRUARY 10, 1837.

The Court met, pursuant to adjournment. All present.

General P. F. Smith, adjutant general of the State of Louisiana, and witness on the part of Major General Gaines, being duly sworn, was interrogated as follows :

1. *Question by General Gaines.* General Smith is desired to state what command he had in the campaign in Florida under General Gaines, and by whose request the corps of Louisiana volunteers was raised and called into the service of the United States.

Answer. I served as third in command in the army under General Gaines, having waived my rank as colonel in favor of Lieut. Colonel Twiggs. I had been a long time acquainted with Colonel Twiggs, and highly respected him as an officer, and thought it would be hardly fair that I should derive the advantages of his experience, and receive the honors that might possibly accrue by having him with me. The corps of Louisiana volunteers was raised on the requisition of General Gaines.

2. *Question by General Gaines.* General Smith is requested to state his opinion as to the best mode of fighting the Indians at Camp Izard, between the 28th of February and the 5th of March, 1836, inclusively, taking into consideration all the circumstances attending the service there, and particularly whether, in his opinion, a sortie would have been attended with advantages.

Answer. I believe that the only mode of fighting Indians is to wound or kill Indian warriors, but that simply to attempt to disperse them would produce no great benefit; therefore, if the Indians occupy a position which we desire to occupy ourselves, we must certainly attack and drive them; but, under other circumstances, whatever method offers the greatest facilities of wounding or killing them, is the best method of fighting them. The position which General Gaines occupied at Camp Izard at the period mentioned was one that he was desirous of maintaining, and I therefore think that he was likely to do more injury to the Indians in repulsing their advance on his position, than he would do in quitting it to follow them through the woods. It is impossible for a soldier on foot in that country to overtake an Indian. The Indian could at the first attack withdraw himself from the fire; and the facilities of the hammocks in the neighborhood afford them a retreat in which they could hide themselves immediately. I believe that, as in attacks on positions, fortified or not, the loss is always greater on the attacking party than in any other kind of combat, where the object is to destroy the life of the enemy, that species of combat affords more advantages than any other. The battle of New Orleans, the attack on Sandusky, and, in fact, all the attacks which were repelled during the last war, are evidences of this. On the 29th of February, when, I think, the largest body of Indians appeared, I think it likely that fewer of our men would have suffered if we had made a sortie; but far fewer of the enemy would have fallen. The defences that were afterwards made of the camp were hardly then begun, and especially the whole interior of the camp was entirely exposed. General Gaines himself, who was sitting near the centre of the camp, received a wound in his mouth. I therefore think that, under all the circumstances, there was a

greater injury inflicted on the enemy, as they approached the camp through the open ground around it, than if the troops had gone out and followed them through the woods. I would remark, however, that the whole of the troops were not in the camp: two companies of the Louisiana regiment were posted down on the river, and a part of them were drawn in afterwards to cover a part of the line.

3. *Question by General Gaines.* What is the opinion of General Smith upon the motives of the Indians in seeking an interview, and expressing a desire for peace at the Withlacoochee? and state how far the Indians manifested a desire for peace, by their conduct previous to the hostile movement of the troops from Fort Drane the 26th of March, under the orders of General Scott.

Answer. I think—indeed, I feel assured—that the Indians were perfectly sincere in seeking a peace. I don't know on what terms they may have wished it; but I believe they desired a peace. A great many reasons operated on my mind to produce this conviction. The first was, that on the night of the 29th, after the Indians had retired across the river, I heard some one, in a peculiar voice, by the tones of which I judged it to be Powell's, making an address to his followers, apparently. The friendly Indians and their interpreter lay close by me. I called to them through the interpreter, and desired them to listen and try if they could catch any of the expressions. When the speech was finished the Indians said to me, through the interpreter, that it was an address of the chief, intended to encourage them; that he told them no matter if they had suffered on our side of the river, that when we attempted to cross, they would then have the advantage; and he suggested to me that it was apparent from this that a portion of the Indians were dissatisfied. The Indians did not appear again the next day, nor until the evening of the second day, when a few shots were fired out of one of the hammocks on the river; nor did there ever seem to be one-fourth of the number of Indians on our side of the river that appeared on the 29th. On the evening when the first offer to treat was made, a voice of a negro hailed the camp in English. He called out that the Indians were tired of fighting, and desired to come in and make friends. He was answered, by direction of General Gaines, that if the chiefs sent in a flag the next day it would be respected. They held a talk next day with the officers sent by General Gaines, precisely as they were directed to do. From all these circumstances, it suggested itself to me that there was a large portion of the Indians who were averse to continue the war—so large that the hostile party was obliged to conform to their desires; that they had nothing to gain, under any view of the subject, by delay; that they were then as well prepared to carry on the war, and better than they would be at any subsequent period; whereas they must have expected that the whites would increase in force and strength every day; that if their object was to gain time in order to escape, they could always have done that, as they could always outmarch us, and that in fact they did not make use of it for that purpose, for Primus, who was sent to them afterwards, must have found them in the upper part of the cove, or in the Wahoo swamp. From the time the Indians held the talk with General Gaines, there was not the slightest hostile movement on their part. Our men were fishing and bathing in the river every day by hundreds while we staid there; and, as there was a thick swamp on the other side, in the vicinity where they were bathing, the Indians might

at any moment have shot down two hundred men, with perfect security to themselves. We encamped about four or five miles southwest from Fort Drane, between Fort Drane and the Withlacoochee; and small parties, and often single individuals, were often passing between the different encampments and Fort Drane, and were scattered over the whole woods for ten miles around, and I never heard of the sign of an Indian. The first that was heard of or met with after this period, was on the evening of the day General Scott commenced his march to the Withlacoochee, when a wagoner belonging to the Georgia horse, and who was left behind on the road, was shot by the Indians.

4. *Question by General Gaines.* Does the witness know of General Scott's having authorized the employment of 500 Creek Indians against the Seminoles; and does he believe that fact could have been communicated to the Seminoles by a negro named Primus?

Answer. The fact was known generally in camp and at Fort Drane; but I don't know whether Primus had been sent then or not. I was in camp four or five miles from Fort Drane, and was but twice at Fort Drane.

5. *Question by General Gaines.* When the right wing marched, the 26th of March, from Fort Drane, was all the transportation made use of by General Scott? and the witness is requested to state what reason Captain Shannon, assistant quartermaster, gave for leaving some commissary stores at Fort Drane.

Answer. I asked Captain Shannon, the quartermaster, some questions in relation to the transportation for my own regiment. In his answer he remarked to me that the means of transportation for the army were not sufficient to convey all the provisions that were at Fort Drane; and I understood him that some portion was left for want of transportation. I understood that the great want was the means of transportation rather than provisions. I know that General Scott had used every means in his power to obtain means of transportation.

6. *Question by General Gaines.* To what extent was the *cove swamp* penetrated by General Scott, in March or April, 1836; and was the search for the Indians by him sufficient to enable him to pronounce upon the position of the Indians or their families?

Answer. On the 30th of March General Scott left all the baggage under the charge of Major Wilson and a detachment, at what, I presume, may be called the entrance of the cove. We marched without the baggage that afternoon, probably about four and a half miles. The next morning we crossed the foot over a deep and difficult bog, which was in front of our encampment. The right column, which was under my command, attacked a small party of Indians that was in front, and pursued them three or four miles, to the utmost extent of the pursuit. Part of the column had arrived, by taking one direction on the banks of the river; the other part, with which I was myself, was pursuing the trail down through the woods to the right, when one of General Clinch's staff brought an order for us to return. We then retraced our steps to where the baggage was, and the next morning took up our march round the outside of the cove; and after leaving Major Cooper, with his battalion, towards the southern extremity of it, we went to Tampa bay. The farthest extent to which the cove was penetrated was by the party which I commanded. Both the columns that entered the cove met

altogether in the cove about 120 or 130 Indians. We had lost all trace of the Indians in the cove before we were recalled. We were on an old path, but we had lost all trace of the particular party we were pursuing.

7. *Question by General Gaines.* What is the opinion of the witness as to the location of the Indian families in March and April; and does the witness know whether they had or had not gone down to Pease creek?

Answer. I had no idea of where they were at that time. They could not have been on Pease creek, unless possibly at the very head of it—a point beyond which I went. I do not think there was any large body of Indians on Pease creek, as I ascended it with only about 140 men, and the Indians would have known of our approach. We crossed two considerable trails leading to the south, but they must have been two or three months old.

8. *Question by General Gaines.* General Smith is requested to state in what manner the movement of General Gaines affected the movements of General Scott in Florida.

Answer. My impression has always been that every effort that General Scott could make to advance his movement was made by him; but such were the difficulties in obtaining the means of transportation, that I do not think he could have been able to commence his movements earlier than he did; that, therefore, no operation of General Gaines delayed General Scott's movements; and that General Scott would not have been ready sooner or later, whether General Gaines was there or not. General Gaines brought from New Orleans with him some means of transportation; he added to General Scott's forces at Fort Drane about 1,000 effective men; he had acquired some knowledge of the country around the Withlacoochee; his position on the Withlacoochee had restrained the Indians during the period General Scott was occupied in transporting provisions to Fort Drane; and that, therefore, in these respects, General Gaines's movements were of great advantage to the movements of General Scott. I might add that, after all, the means of transportation were not sufficient to allow General Scott to operate a long time on the Withlacoochee, and that, therefore, he was not able to derive all those advantages which he otherwise would have derived.

9. *Question by General Gaines.* The witness is requested to state what purpose was expressed to him in maintaining the position at Camp Izard, and what importance was attached to that position by General Gaines.

Answer. After we had encamped at Camp Izard, and, I think, on the night of the 29th, General Gaines, a little after dark, came to me and stated that, as it was then evident that the Indians were in our immediate neighborhood, and that as all the operations, if any, must be in that neighborhood, and that as that appeared to be the most convenient crossing-place, whether the operations of the Alabama troops expected from Tampa bay, or from General Scott's coming from the North, that he had made up his mind to maintain that position, provided the troops under his command were disposed to submit to all the privations they might be subjected to, in case the convoy of provisions expected from Fort Drane did not arrive. He argued that the position then kept the

whole body of Indians in check; that it was evident we must be in the neighborhood of their establishments, and they would not dare to quit them to undertake any predatory expedition, as long as the force under General Gaines was so near the position where their families were. But he stated that something might prevent our receiving any supply of provisions for some days; that then we would be obliged to have recourse to killing the horses; that if I thought that my regiment would not willingly submit to these privations, it would be easy to retire to Fort Drane, where there were provisions; but that he considered it of the highest importance that he should maintain the position we then occupied on the banks of the Withlacoochee. I told General Gaines that whatever measure he should decide on would be heartily seconded by the whole of the regiment; that they were prepared to do or suffer any thing that was necessary for the object of the campaign. He then expressed his determination to remain there and keep the Indians in check, until the forces that were expected would be prepared to assemble around that country. General Gaines was principally desirous to maintain that particular position, as it was the best crossing-place; and, indeed, it was afterwards selected by General Scott, in crossing his army. It was also General Gaines's belief that if we were to retreat from that point, or to push across to Tampa bay, the Indians would then be let loose over the whole country, and that then, besides the forces that would be necessary to protect the convoys of provisions coming from the North, it would require a great many men, scattered through the settlements, to protect them from the ravages of the Indians.

Captain P. Morrison, of the 4th regiment of infantry, a witness on the part of Major General Gaines, being duly sworn, was interrogated as follows :

1. *Question by General Gaines.* General Scott having endeavored to show that a report of the war being ended caused a detention in New Orleans of supplies called for by requisitions for Florida, the witness is desired to state whether he was commissary in New Orleans from January to April, 1836, inclusive; whether any such detention took place with regard to commissary supplies; whether he had opportunities of judging whether quartermaster's stores were detained, and whether they were so detained; and is requested to state whether he understood from the quartermaster whether he would or would not feel authorized to detain supplies under the supposed circumstances of there being a report like that in question. And the witness will also please state what rations returned to New Orleans with the Louisiana volunteers from Tampa bay; whether a part was in bulk, and by him issued to the volunteers; and whether he made any remarks to Captain Thistle on the subject of the bacon so returned, and what remarks he made.

Answer. I was assistant commissary at New Orleans from January to April, and have been for ten years past. No detention took place in the furnishing of supplies. Every exertion was used to procure hard bread and bacon, as required by General Scott. The bread and bacon could not be procured in sufficient quantities: the other parts of the ration, consisting of pork and flour, were delivered to the quartermaster, to make up the deficiency. A duty which I owe to Major Clark, as he is not present,

compels me to state that every exertion was made use of on his part to furnish supplies and transportation. We both felt a deep interest that nothing should be wanted, and that no complaint should be made. From the 7th to the 16th of May, when the regiment of Louisiana volunteers returned to New Orleans from Florida, there were 720 pounds of bacon and 2,160 pounds of bread, surplus rations, which were sent to the commissary's store at New Orleans, besides other rations in proportion. Captain Thistle came to me somewhere between the 10th and 16th of May, with a return for back rations. In offering Captain Thistle his choice of pork, bacon, flour, or hard bread, I observed that I regretted that the hard bread and bacon had ever come back, after the difficulty I had in sending it to Florida. As to Captain Thistle's asking me why I did not send the bacon, I have no recollection of his having made such an observation to me, neither do I believe he did. No observation was made by me to Captain Thistle that the Florida war was closed. [The witness here presented to the Court papers Nos. 39 and 40, (see documents,) as evidence that he had discharged his duties promptly, and to the satisfaction of his department.]

2. *Question by General Gaines.* What conversation had the witness with General Gaines in New Orleans, in April, on the subject of sending supplies to Florida, and what did General Gaines urge?

Answer. About the beginning of April, I had understood that General Gaines had arrived in New Orleans, and was on my way to pay my respects to him, when I met Major Clark, who requested me to get a requisition from General Gaines, which he had left with the general the evening previous or the same morning. I found General Gaines at his quarters; he was unwell; and after a little conversation, I asked him for the requisition left by Major Clark. He handed it to me, and observed, very impressively, "furnish every thing that you are ordered to furnish." Commodore Dallas, of the navy, came in, and I withdrew. I did not ask General Gaines about furnishing the supplies. His remarks were applied both to Major Clark and myself. [The witness here produced paper No. 41, (see documents,) showing the quantity of certain supplies at Tampa bay on the 31st of March, 1836.]

Lieutenant Gouverneur Morris, of the 4th infantry, a witness on the part of Major General Gaines, being duly sworn, was interrogated as follows:

1. *Question by General Gaines.* General Scott having charged that General Gaines took the public transportation from Tampa bay, to the disadvantage of the movement of Colonel Lindsay, the witness is desired to state what amount of transportation was taken by General Gaines; also, whether it was or was not more than replaced by Lieutenant Casey; when Lieutenant Casey arrived at Tampa; what amount of transportation he brought; whether Colonel Lindsay had the benefit of that transportation; and by whose order, when, and where, so far as witness knows or believes, Lieutenant Casey was sent for said transportation.

Answer. There were only four or five indifferent horses taken by General Gaines that belonged to the post, besides the number that was directed to be sent by him from New Orleans. It is proper to state that there were sixty horses sent at first; but, from disease and rough weather at

sea, five or six died, and some of the others were in a poor condition for service. Lieutenant Casey, the acting quartermaster at Tampa bay, had been sent, I suppose by the orders of the commanding officer, to Middle Florida, (Tallahassee,) to procure means of transportation for General Gaines's army, which was expected to arrive soon. The transportation (six or eight teams complete) arrived a short time after General Gaines's departure with his forces from Tampa bay. This transportation was put in requisition by Colonel Lindsay after he arrived there, and formed the principal transportation of his column. To the best of my recollection, there were forty-two or forty-eight horses or mules, which formed the teams for the wagons which arrived from St. Mark's.

2. *Question by General Gaines.* Was it known at Tampa bay, at the time Lieutenant Casey was sent for transportation, that any other troops were expected at Tampa bay than those taken there by General Gaines?

Answer. I knew of no other, and I believe it was not known then that Colonel Lindsay's or any other troops were expected to arrive at that time.

The Court adjourned till to-morrow, at 11 o'clock, A. M.

FEBRUARY 11, 1837.

The Court met, pursuant to adjournment. All present.

Mr. Potter, a witness on the part of Major General Gaines, being duly sworn, was interrogated as follows:

1. *Question by General Gaines.* Were you at Fort Drane in March, after the council on the Withlacoochee, and previous to the movement of the right wing on the 26th of that month; and what exposure of individuals or small parties to the hostility of the Seminoles occurred, and was any hostility exhibited by the Indians?

Answer. I arrived at Fort Drane with General Gaines on the 11th of March. I remained at Fort Drane until about the 10th of April. Previous to the movement of the right wing, on the 26th of March, small parties of from two to five individuals frequently passed between the various camps and Fort Drane. I, myself, mounted the horse of Major Lytle to go in search of Camp Twiggs, on some business for Major Mountfort. I took the wrong road, and proceeded a distance of about six miles, as I was afterwards informed, when I met three of the Georgia volunteers. I asked them how far it was to Camp Twiggs; they answered, "eight miles in a contrary direction." They told me they had been nineteen miles that day, and were then returning; they had seen Indian tracks, and had heard of Indians being in the neighborhood where they had been. In short, to the best of my knowledge, there was no hostility exhibited by the Indians before the march of General Scott from Fort Drane. I had never been from Fort Drane to any of the encampments, which accounts for my taking the wrong road.

2. *Question by General Gaines.* Please to state, as far as you know, whether the information likely to be communicated by Primus, who was sent among the Indians, was calculated to encourage their hopes of being heard in council, according to the arrangement of General Gaines, or otherwise; and on what do you found your opinion?

Answer. At Fort Drane, on the 14th or 15th of March, I was standing near a squad of friendly Indians and an interpreter. I heard General

Scott say to the interpreter, "tell them that I am determined to carry on a war of extermination among them; I will shoot down every man." I'll take occasion to remark to the Court, that I know not what preceded this conversation, but think it more than probable he told them that they must lay down their arms. Not having had sufficient intercourse with the troops generally, my intercourse was principally with the officers at Fort Drane, and they were generally very guarded in expressing any opinion. I am therefore unable to say what impressions were produced on their minds. I merely know that the Creek Indians had been sent for, and I subsequently heard that the order had been countermanded.

3. Question by General Gaines. The witness is desired to describe the country in the vicinity of Camp Izard?

Answer. The country in the vicinity of Camp Izard is very hammocky. Here is a drawing made by myself; the hammocks laid down in this drawing were about 150 or 200 yards from Camp Izard. I am aware that the map is imperfect as respects the scale. I suppose the encampment was about 200 yards square, and I suppose it to be about 450 yards, or rather more, from the camp to the river on the west side of the camp. I suppose the river to be about 100 or 120 yards from the front of the encampment. There was an opening to the river in front of the camp; but the river could not be seen from the camp.

Colonel J. Watson Webb, editor of the "New York Courier and Enquirer," a witness, being duly sworn, was interrogated as follows:

Question by the Court. You are requested to state whether you know, or have reason to believe, that Major General Scott is the author of the article in the "Courier and Enquirer," of the 2d of April, 1836, or whether it was written or published with his knowledge.

Answer. I will state to the Court that I saw General Scott a short time previous to his being ordered to Florida; that I did not see him again until after his recall from that country. The article in question was written by myself, and contained my views of what had transpired in Florida up to that period. During the ten months which have since elapsed, I have seen no cause to change, in any respects, those views. I do not know that General Scott has ever seen, read, or heard of the article in question.

Question by General Gaines. Had the editor of the Courier and Enquirer a correspondent in Florida during the early part of the campaigns of 1836? Did that correspondent write from St. Augustine in a tone very highly complimentary to General Gaines of the movement of that general in Florida, quoting, in reference to that movement, that it was calling forth golden opinions from all sorts of people; and did not the tone of the letters of said correspondent entirely change after joining General Scott, and going to Picolata?

And further, the witness is requested to state whether the article in the Courier and Enquirer, besides the basis it confessedly has upon the official correspondence of General Scott, as published in the Globe, and upon the article from the Richmond Enquirer, published at the residence of General Scott's immediate friends, was or was not founded upon the communications of the correspondent in Florida, and, if not, upon what was the said article fabricated?

Answer. I had a correspondent in Florida at that time. That correspondent did write from St. Augustine. I have not the slightest recollection of the tone of his correspondence in relation to General Gaines; but I know, from my own feelings at that time, that if he did write anything complimentary to the general, it was very cheerfully published by me. I do not know precisely when the tone of those letters changed, but I am very certain that if they had contained any thing favorable to General Gaines's conduct after the affair of the Withlacoochee, and the facts in relation to the army's being intrenched there being known to me, I would have considered it unjust to the public to have given currency to such opinions. The article had, as its base, an order issued by General Gaines, and published in the "Savannah Georgian," which order met my eye on the evening of the 1st of April. The article alluded to, and based upon that order, was written after 10 o'clock at night, without consulting any person or persons whatsoever. I never wrote any article, either of praise or censure, of either General Scott or General Gaines, founded upon the opinions or judgment of my correspondent, or of any other person or persons whatsoever. I have never exchanged any opinions in writing with General Scott in relation to that campaign, and, to the best of my recollection, have only seen him once for the period of about five minutes, in Broadway, in the city of New York, at which time he refused to express any opinions in relation to General Gaines, General Jesup, or others; but said "that, as regarded himself, he would compel the whole country, by the mere force of truth, to do him justice." The article alluded to is not a fabrication, but contains my views founded upon the news which I had received from the seat of war, and such opinions in relation to military matters and military conduct as I have acquired during more than eight years' service in the army, and the greater part of it under the immediate command of the officers composing this Court. I believed them to be correct then; I believe them to be correct now, as I also do the deductions drawn from the premises assumed in the article.

General Gaines having requested that his case might be laid over till Thursday, the 16th instant, to enable him to prepare his final address, his case was laid over to that day accordingly; and the Court adjourned to meet on Monday, the 13th instant, at 11 o'clock, A. M.

FEBRUARY 16, 1837.

The Court met, pursuant to adjournment. All present.

Major General Gaines presented to the Court paper No. 43, (see documents,) on the subject of the publication of his letter of the 4th of July, 1836, in the New Orleans Bulletin, 27th September, 1836; and, in reference to that publication, made the following remarks:

In submitting the foregoing letter for the consideration of the Court, I have to state in writing what I have already intimated in reference to the publication of my letter to the Adjutant General, under date the 4th of July, 1836.

That letter was published as an act of *self-defence* and *self-preservation*, in obedience to the first law of nature. This law *authorizes me and my household, my staff, and every other member of my family,*

civil and military, when assailed by *assassins* or pirates with deadly weapons in their hands, *to repel force by force*, until the assailants are subdued or disarmed; and upon the same principle, when attacked by assassins of reputation, *armed with the weapons of falsehood*, that law authorizes me and my family *to employ the weapons of truth* to disarm the *assassins of reputation*. I availed myself of this sacred right, in giving publicity to my letter of the 4th of July, 1836, to repel the attacks made on me and my faithful companions in arms by the *author and publishers* of the atrocious calumnies contained in the official letters and orders upon your table, signed by Major General Winfield Scott, or by his authority, and published by certain editors of newspapers, and by the authority of certain persons, not in the power of this Court, more especially the letters and reports of Major General Scott, of the 1st, 4th, 9th, and 14th of March, which have been laid before this Court: and the falsehoods which they contained detected and exposed by the testimony of General Smith, Colonel Twiggs, Captain Hitchcock, Captain Drane, Captain McCall, Lieutenant Morris, Lieutenant Mitchell, and Mr. W. Potter; to all which the Court is referred. In repelling these attacks, however, I have in no case violated any known law, regulation, or order. But even if it were otherwise; if, indeed, I had, in *self-defence*, and in the essential work of *self-preservation*, deviated from a *law*, a *regulation*, or an *order*, I could not but avail myself of the plea that "all human authority *ceases* at the point where *obedience* becomes criminal." I could not have remained silent under such calumnies as those to which I have referred, without committing a crime of omission, equal to the crime of sitting still in silence whilst assassins or pirates were engaged near me in the act of firing at my house, my children, or myself. My silence under such attacks would have been, in a moral point of view, highly criminal.

The old Army Regulations contain the provision which follows:

"650. *Private letters or reports, relative to military marches and operations, are frequently mischievous in design, and always disgraceful to the army; they are, therefore, strictly forbidden.* And any officer found guilty of making such report for publication, without special permission, or of placing the writing beyond his control, so that it finds its way to the press, *within one month after the termination of the campaign to which it relates*, shall be dismissed from the service."

I have underscored the parts to which I desire the particular attention of the Court.

In referring to the first member of this paragraph, it may be remarked that, although "*private letters or reports relative to military marches and operations are frequently mischievous in design*," they are not always so, nor "*always disgraceful to the army*." This is too obvious to require illustration or argument. All must admit that there may be, and often have been, "*private letters or reports relative to military marches and operations*" not "*always disgraceful to the army*;" for example, the meritorious soldier, regular or volunteer, who, seeing in a published report, probably from the pen of a secret enemy, assertions that he had deserted the service in the moment of battle, and had at a stated time and place gone over to the enemy, he would naturally feel inclined to contradict the report, if possible, before it should have time to reach his parents, his wife, children, or friends. In doing this, he might deem it proper himself to write or to desire some brother soldier to state that he had dis-

charged his duty faithfully in battle at the time and place referred to in the report, and had afterwards continued to discharge his duty from place to place, (naming the places visited by the army,) up to the time and place at which his letter is dated. Surely no man in his proper senses would venture to say that such a *private letter*, or such a *report*, was "always disgraceful to the army," notwithstanding it may have been written "relative to military marches and operations," and in the apparent contemplation of the order or regulation in question. What "*private letters or reports*," then, are obviously allowed or not allowed to be published? In answer I have to remark, that I have deemed it to be right to inquire what description of "*private letters or reports*" are manifestly "*mischievous in design and always disgraceful to the army*?" and to come to the conclusion that the publication of such as these only were forbidden: for example, the letter written by Captain Hitchcock, my acting inspector general, to my friend Mr. Lyon, of the House of Representatives, dated at Fort Drane, 13th of March, 1836, and the letter written by Captain McCall, my aid-de-camp, to the editor of the New Orleans Commercial Bulletin, dated Camp Sabine, 18th May, 1836, letters voluntarily written with the most scrupulous regard to truth, and without any thing like acrimonious animadversion or censure towards any officer, soldier, or citizen, I deemed to be liable to no objection. I was not apprized of the contents of these letters until after they were written and voluntarily submitted to me by the writers respectively. I expressly gave my sanction to their publication, convinced, as I was in giving publicity to mine of the 4th July, 1836, that they contained nothing that could tend to violate the regulation No. 650, or any other description of military law or orders.

On the other hand, I have considered such letters and *reports* as those upon your table, written by Major General Scott, dated the 1st, 4th, 9th, and 14th of March, to be "*mischievous in design, and always disgraceful to the army*."

The testimony upon your table, and to which I have expressly referred, will enable the Court, in the opinion which they are required to give, to say whether any, and, if any, which of the *letters* and *reports* to which I have referred, are such as were written and published in violation of the spirit—the true intent and meaning of the regulation in question.

All which is respectfully submitted.

EDMUND P. GAINES,
Major General U. S. A. by brevet.

After the foregoing remarks, Major General Gaines commenced his final address, (which accompanies these proceedings,) and continued its reading for some length of time, when, at his request, the Court adjourned, to meet to-morrow at 10 o'clock.

FEBRUARY 17, 1837.

The Court met, pursuant to adjournment. All present.

Major General Gaines took up and finished his address; after which the Court adjourned to meet to-morrow morning at 10 o'clock.

FEBRUARY 18, 1837.

The Court met, pursuant to adjournment. All present.

The Court was occupied on this day and on Monday the 20th, in revising its proceedings in reference to the Creek campaign.

FEBRUARY 21, 1837.

The Court met, pursuant to adjournment. All present.

The Court took up the testimony in reference to the campaign in Florida, under Major General Gaines, and, after a careful examination, finds that Major General Gaines, on receiving at Mobile, about the 17th of January, 1836, information of the massacre of Major Dade, and his command, by the Seminole Indians in Florida, repaired with promptness to the city of New Orleans, where he, with great zeal, organized a force of regular and volunteer troops, amounting to about 1,100 men, and proceeded without delay to Tampa bay, where he arrived about the 10th of February, and, after making preparations for the field, moved on the Fort King road on the 13th, and reached Dade's battle-ground on the 20th, where he buried the meritorious dead with the honors of war. He then proceeded for Fort King, where he arrived on the 22d. After drawing nine or ten days' supply of subsistence from Fort Drane, and receiving a small supply of ammunition, he moved on the Withlacoochee, where he arrived on the 27th, and encountered the same day the enemy across the river in a sharp conflict of half an hour, when the troops withdrew for the night, after a loss of one killed and six wounded. On the morning of the 28th, the troops marched down the river to a point two and a half miles below, where it was understood the crossing was practicable. Here the advance of the army was fired upon from across the river, and an action ensued, which continued until 12 or 1 o'clock, in which Lieutenant Izard was mortally wounded. The army here encamped that afternoon, and an express was despatched by Major General Gaines to General Clinch, or the officer commanding at Fort Drane; the troops in the mean time throwing up a slight breastwork of logs. On the morning of the 29th, at 9 or 10 o'clock, the enemy, in force, estimated at about 1,000 or 1,500 men, made an attack on three sides of the fortified camp, which was continued for two hours, when he withdrew, leaving one of his dead on the field. On this day another despatch was sent by Major General Gaines to Fort Drane. From the 2d of March to the 5th, the enemy made, more or less, spirited attacks upon the camp; in which several conflicts the loss on the part of our troops amounted to some three killed and about forty wounded. On the night of the 5th of March a proposition was made from the woods, by the enemy, for peace. On the next day a strong party of Indians appeared within 500 or 600 yards of the camp; a few of whom advanced with a flag to within 150 or 200 yards, and Adjutant Barrow, of the volunteers, was sent out to confer with them, when they informed him they did not wish to fight any more, but wanted General Gaines to go away; upon which information General Gaines sent out Captain Hitchcock, who was accompanied by two or three officers, to hold a further conference with them. The Indians repeated to him their proposition for peace, and stated they had lost a great many of their men. Before the conference was finally closed, the ad-

vance of the troops under General Clinch came up, and commenced a fire upon the Indians standing in the rear, when they and the chiefs in council fled, and covered themselves in the hammocks, and were no more heard of up to the 10th of March, when the army (the command of which had been turned over by Major General Gaines to General Clinch the day preceding) fell back upon Fort Drane, where it arrived on the 11th.

The Court, after carefully reviewing and collating the testimony of Captains Hitchcock and McCall, Colonel Twiggs, General Smith, and others, in reference to the operations and peculiar situation of the army at Camp Izard, finds it difficult to come to a conclusion as to the real causes of the failure of the campaign. It appears, although the army was surrounded and repeatedly assailed by the enemy in its fortified position from the 29th of February to the 5th of March, and straitened in its means of subsistence, that, however important to the chivalry and reputation of the troops, no sally was made to test the result of such a movement, which it is *possible* might have issued in the defeat and subjection of the enemy, and have brought the war to a close. But the Court, however, judging from subsequent events in prosecuting the war under other commanders, and the indomitable spirit of hostility evinced by the enemy, is of opinion that, had a sortie been made by Major General Gaines, though he might have been able to beat and drive the enemy into the surrounding hammocks and swamps, they would have eluded pursuit and retired to their more remote fastnesses. But, if such had been the result of a sortie, Major General Gaines had not the means of subsistence to have enabled him to remain long enough in or about the cove of the Withlacoochee to seek out the enemy and press the war to a successful conclusion. Still, the Court, without impugning the motives that influenced Major General Gaines, is of opinion that a sortie, under all the circumstances of the case, should have been made.

The Court, therefore, in taking a full and impartial view of all the circumstances appertaining to the operations of Major General Gaines at Camp Izard, is of opinion that the failure of the campaign should rather be attributed to the want of the means of subsistence to prosecute the war, than to the contingent result of a sortie.

The attention of the Court was next called to a consideration of the publication of Major General Gaines's official report of the 4th of July, 1836, to the Adjutant General, in the public prints. The fact of its publication in the "New Orleans Bulletin" of the 27th of September, is admitted by Major General Gaines (as will appear in the Proceedings of the Court) as authorized by him, and without any authority but his own action. The Court is not aware that its publication in the public journals as late as the 29th of September is in violation of any rule or regulation of the service: but is of opinion that all publications in the public prints, tending to excite public opinion, or to produce recriminations between officers, are prejudicial to the interests of the public service and injurious to the discipline of the army. The publication of the official report of Major General Gaines, of the 4th of July, to the Adjutant General, is considered by the Court as falling under publications of this description, by its personal allusions.

The Court cannot close its proceedings without adverting to the strain of invective and vituperation used by Major General Gaines, in the lan-

guage generally of his Summary of the Evidence touching the operations of his Seminole campaign; particularly the part of it couched in the following terms: "*the atrocious machinations of the second United States general officer who has ever dared to aid and assist the open enemy of the republic in their operations against United States forces employed in the protection of the frontier people. The first great offender was Major General Benedict Arnold, the second; as your finding must show, is Major General Winfield Scott*"—assertions without facts or circumstances to sustain them, and unbecoming his (Major General Gaines's) high rank and station—remarks and assertions which the Court condemn in the most decided terms of reprehension.

The Court, in continuation, feels itself compelled to notice the censure in the official letters of Major General Scott (spread upon the record of these Proceedings) cast upon Major General Gaines, in reference to his operations in Florida; and in a tone of language that it could not be otherwise than offensive to the latter general; and in terms, the Court is of opinion, not called for under the circumstances of the case, and ought not to have been indulged in.

ALEX. MACOMB, *Major General,*
President of the Court of Inquiry.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

DEFENCE OF MAJOR GENERAL E. P. GAINES,

*Before the Court of Inquiry of which Major General Mucomb
is President.*

Frederick, Maryland, February, 1837.

Mr. President :

My first object is to show that the order given me to command the western department made it my duty, on hearing of the outbreak of savage war upon the troops and frontier inhabitants of East Florida, within the known limits of my department, to collect together whatever disposable force I could obtain near me, and fly to the theatre of the war, to "*repel the invasion*," and beat the enemy, or hold them in check, and stand between them and the bleeding frontier, until the President of the United States should be advised of the state of the war, and of my movements and measures, and thereupon make whatever arrangements he might see fit for affording *protection* to the frontier and terminating the war.

I stand before this Court as one of the *accused*. Major General Scott, though placed as I am placed, in the attitude which the law recognises as one of the "*accused*," (see the 91st article of the Rules and Articles of War,) has been erroneously, as I have endeavored to show, suffered by the Court *to act as my accuser—and thus to act in my absence*. Protesting again, as I have protested, against this proceeding, I can but avail myself of the restricted means which the Court has seen fit to impose in the vindication of my conduct: and, since the Court has denied me the privilege of meeting my accuser and his witnesses face to face, and thus scrutinizing the accusations against me, and "*cross-examining and interrogating the witnesses*," as authorized by the 91st article of war, I find myself compelled to proceed under all the disadvantages of repelling accusations that have not only been so far sanctioned by the Secretary of War as to be published by his authority, and then acted on by the Court in my absence, and ultimately forwarded to the Department of War, as I have been given to understand, with the final decision of this Court.

Notwithstanding all these disadvantages, Mr. President, I do not despair. The strength of my cause, the strict military propriety of my measures, with the patient hearing which the Court has given to the testimony before you, assure me that, whatever may have been the force of *appearances* against me, I cannot but feel satisfied that the testimony upon your table will convince you of the correctness of my conduct, as set forth in my letter of the 4th of July to the Adjutant General; to every part of which, and to my correspondence and orders to which it refers, I desire the particular attention of the Court, as a part of this, my final vindication.

Mr. President: When last before the Court, you notified me, whether

with or without the concurrence of the Court I did not understand, that Major General Scott was *not considered my accuser*. I then endeavored to convince the Court, from a hasty reference to the official letters and reports of that officer, that he was in fact my accuser. I have since seen, in an article purporting to be the Defence of General Scott before this Court, a declaration that he is not my accuser. If this is true, sir, the letters bearing the signature of that officer, dated at Picolata, the 1st and 4th of March, with his letters dated the 9th and 14th of March, which I have seen before the Court, must be considered as forgeries; otherwise, the *receiver* of those letters, who authorized their publication, must be my accuser; for I can truly affirm that, during the long period of my service, I have never known an officer to be more palpably charged with crimes than the writer of those letters has seen fit to charge me. I therefore deem it to be due to the public service, and to my own reputation, aspersed by these accusations, to establish their authorship, whilst I prove them to be false and calumnious. The question between the *writer* and the *receiver*, I leave to be settled between them. The *writer* is in the power of the Court—the *receiver* is not.

In my letter of the 4th of July, 1836, addressed to the Adjutant General, I made the statement which follows:

“The Order No. 7 of the present year, requiring General Scott to repair to the left wing of my department, was never seen by me until my arrival at Fort King, the 22d of February. I state this fact simply because it is *a fact* hitherto, I apprehend, unknown at your office—but it is a fact to which I attach little or no importance. Had I received this order at Pensacola, I should have viewed it as a measure of the *Secretary of War*, taken without a full knowledge of the progress of the war upon that frontier, and of the circumstances which had rendered my movement to Florida proper; and that therefore my movement thither ought to continue until I should feel assured that the President was apprized of all the material facts bearing upon the subject; and more especially until the officer authorized to enter upon that part of my command assigned to him, and which formed the principal theatre of the war, should make his appearance in person upon that theatre of the war—unless indeed my attention had been called to other, and apparently more important military operations, also *in actual war*, than those which called me to East Florida.

“This view of the subject is based upon an essential principle of military law, derived from the laws of nature, and incorporated in our institutions—a principle sustained by the ablest writers of all enlightened nations to whose works I have had access—a principle, without the strict observance of which, no nation, whose geographical limits exceed twenty miles square, could be successfully defended—a principle deeply interwoven with the highest attributes of *sovereignty* and of *self-government*—namely, *self-defence* and *self-preservation* as a nation or a state; or in other words, *PROTECTION—IMMEDIATE, INSTANTANEOUS PROTECTION to the exposed feeble members of the community from savage war*. Yes, sir, *immediate, instantaneous protection* by the military offices intrusted with the command of the particular section of country threatened with *savage attack*—until relieved *before the enemy* by the new commander.

“Let us look into a few of the principal features of the case in question and see what would probably have been the effect of a contrary rule of

conduct on my part. In command of the Western Department, I had met, at New Orleans, intelligence of a great and unlooked for disaster having occurred upon the left wing of my department, far distant from the seat of the Federal Government, from whence alone could I hope to receive new orders, or special instructions, more applicable to the case in all its bearings than the orders of the President embraced in my commission to serve the United States diligently as a general officer—with the orders which he had given me to **COMMAND THE WESTERN DEPARTMENT**. An important white settlement within my department was reported to be **OVERRUN, SACKED, and BURNT**; a United States agent of Indian affairs, and eight valuable officers, and ninety-eight faithful soldiers, with many worthy frontier citizens, killed, and their property stolen or destroyed; and I was aware that most of the neighboring military posts, namely, Forts Brooke, King, Drane, and Key West, all within my military department, were without any other works of defence than such as an efficient force of five hundred men might have taken and destroyed in a few hours, with little loss or risk on their part—the garrisons of two of those posts (Fort King and Key West) being insufficient for their defence. I was, moreover, apprized that there were but about six hundred troops of the regular army at that time in Florida, and that these were separated by a wilderness, supposed to be occupied by the enemy, comprehending near twenty thousand square miles, extending near two hundred and fifty miles from north to south, and from one hundred and twenty to forty miles from east to west—with our six hundred regulars stationed at the opposite angles and sides of this extensive wilderness, without disposable force sufficient to ensure a concentration at any one important vulnerable point from one side of the wilderness in question to the other, without the most imminent danger of having such force destroyed in its movements to the point of concentration. The destruction of the brave but unfortunate Major Dade, with his heroic officers and men, affords an impressive lesson upon this view of the subject, which no prudent American soldier or citizen should ever lose sight of. Under these circumstances, what was the duty of the commander of the Western Department? What, I ask, was the proper course for me to pursue? These questions may be most readily answered by asking another: What had I promised upon my oath to do? I had promised upon my oath, prescribed by law, ‘to bear true faith and allegiance to the United States of America, and to serve them honestly and faithfully against their enemies or opposers whomsoever, and to observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the Rules and Articles of War.’

“I had with me my sword and my commission, with the orders of the President of the United States to ‘*command*’ this department. Now it is well known that for me to command a military department, or any particular section of country upon the frontier, great or small, is, in a plain military sense, *so to order and employ the men and means confided to my direction as to protect our own people of the United States upon that section of frontier ‘against their enemies or opposers whomsoever.’* as set forth in the aforementioned oath; *and if it be in time of war, to continue so to command until duly relieved by the new commander—IN HIS OWN PROPER PERSON—and on the theatre of war.*

“In failing to comply with this sacred injunction, I well knew that I

might thereby have suffered the enemy to kill great numbers of the citizens and troops, in addition to those already slain, within the limits of my command, and burn their houses, and take their property. It was my bounden duty, therefore, without waiting for *new orders*, or special instructions, to collect together my disposable force found within my department, which I might deem sufficient to enable me promptly to strike at the enemy, and, if possible, subdue them, or check their devastations, until the President should have notice of them, and of my efforts to arrest them—and then give such new orders as he might think fit.

“But it is contended, principally indeed by those who have proven themselves to be better qualified for the quiet vocation of a writing-desk than the turbulent scenes of an Indian war, that I ought to have abandoned the expedition at Pensacola, because I received, on my arrival at that city, your letter, notifying me—not that General Scott had actually arrived at the theatre of the war in Florida, *but that he had been ordered thither by the Secretary of War!* But little reflection is necessary to see the fallacy of this *close view* of the subject. I had embarked, pursuant to my letter of the 2d February, addressed ‘to General Glinch, or the officer commanding the forces assembling on the northeast border of East Florida,’ with a view to *co-operate* with that officer in subduing the enemy; I had moreover given a pledge to the principal force then with me—the Louisiana volunteers—that I would *not require them to go further than I would myself go, and that I would stand by them as long as they would stand by me, in bringing the war to an honorable close.* I had thus promised, on the 2d February, with a force of seven hundred men so to co-operate; this force had been fortunately increased, before the embarkation was effected, to near one thousand one hundred men. With this very respectable force embarked, and in its movement for Tampa bay, and within two days’ march (*by steam*) of that place, I received at Pensacola the *notification* from you that General Scott *had been ordered by the Secretary of War* to that part of my command to which I was, under the above-mentioned circumstances, destined. But what assurance could I have had that he was there? Did you notify me that he was at the post of honor assigned to him by the Secretary of War, or that such arrangements had been made as afforded reasonable ground to hope that General Scott *would be prepared soon* to breast the storm of savage desolation, and *protect* from the scalping-knife and firebrand the helpless citizens of both sexes and of all ages in that region, who had looked to me as their protector? Did you tell me that Ocoola and his war-chiefs had given to the President satisfactory assurance that they would suspend their massacres and conflagrations until General Scott should *complete his plan of operations*, and be quite ready to subdue them? No such thing is found in your letter. Nor had I any reason, from the previous Northern or Western wilderness movements of that officer, to anticipate anything like a prompt movement on his part into the wilds of Florida, longer than he should find himself and his forces and supplies *propelled by steam power.*”

I repeat, sir, I had been notified, not that General Scott *was there*, but that he had been ordered thither; I was assured, not that Ocoola and his ferocious *chieftains and braves* had promised to suspend their wonted havoc until General Scott should have full leisure to mature his plan of operations, and be quite ready to *surround* and annihilate the enemy;

but was simply notified that this officer was ordered to extend his operations into my department, without regard to imaginary lines. It is here proper, and essential to my complete vindication, to advert to the well-known fact, that, on a previous occasion, when General Scott was ordered into my department against the Black Hawk and his red warriors, that officer did not arrive at the theatre of the war until the enemy had been met and beaten by the gallant troops headed by the commander of the right wing of my department, now a member of this Court, seconded and sustained by another member of this Court, with Taylor of the United States army, and Dodge of the volunteers. Major General Scott, with his troops, did certainly move with very considerable rapidity from Albany, N. Y., to Chicago, at the southern extremity of lake Michigan, *as long as he was propelled by steam-power*; but when this mighty power could no longer be rendered subservient to this movement, the General, with a large portion of his army, fell prostrate upon the threshold of the then theatre of the war, afflicted with disease, and mortified that they were thus deprived of the professional gratification of leading in the vigorous chase, and winning the honors of the victory which ensued. He arrived at the theatre of that war, not until after the enemy had been subdued, and in time only to perform the *diplomatic duties assigned to him by the Secretary of War*.

I was warranted, therefore, by his Northwestern tardy movements, and misfortunes, in the apprehension that the same officer might possibly be tardy and unfortunate while in quest of Southern laurels. But it was enough for me to know, as I did full well know, that, even had each one of us, with our troops, been blessed with the unerring means of flying rapidly as an eagle to the protection of the suffering frontier, it were better to "make assurance doubly sure," and for each of us thus to hasten our movement thither, than that any possible chance of a failure to afford timely protection should be hazarded; and hazarded too, by uncalled for haste in my complying with a notification or suggestion like that which met me at Pensacola from Adjutant General Jones, requiring no immediate action on my part—a notification which was obviously written without any knowledge of the *extraordinary circumstances and irrevocable arrangements* which made it my duty to proceed to Florida, and to act with all possible effect in protecting the frontier inhabitants and subduing the enemy; until these circumstances and arrangements should be known to the Department of War, and other measures be taken there; or until I should meet with the officer authorized to relieve me; or, finally, until I should beat the enemy and force them to sue for peace, as I ultimately had the satisfaction to do, between the 27th of February and 6th of March, 1836, as the evidence upon your table abundantly proves: a fact to which I shall again advert somewhat more in detail.

General Scott left Washington for East Florida on the 22d of January. On the 2d February he writes officially to Colonel Lindsay, and communicates his expectation of being in readiness to act decisively in East Florida by the 25th of that month. When I heard of his having been ordered to East Florida, I made a similar calculation, and confidently expected to meet him about or before that time upon the theatre of the war. I have shown to this Court my readiness and willingness to yield my command to him, or to co-operate with him—leaving the election entirely to himself—my sole purpose being to afford *protection to*

the frontier, by acting immediately upon the enemy. If General Scott, in the full knowledge of his own resources, and with as ample authority as was ever furnished to any general in the field, was induced thus to anticipate the contemplated time of action in the enemy's country, my own expectations in respect to him can be regarded only as an evidence of my confidence in him, which his subsequent movements most lamentably disappointed, with no fault of mine. Had he fulfilled my expectations, our two forces might have united in a most solemn duty upon the battle-ground of the gallant and lamented Dade; for it was upon the 20th of February I performed the deeply affecting duty of giving honorable interment to the bodies of our military brethren, sacrificed fifty-two days before, by an overwhelming band of savages; and having thus united our forces at that melancholy scene, we might at once have directed our march upon the enemy, and crushed him at a blow.

But to return to the actual movements of General Scott. He arrived at Picolata on the 21st of February, in advance of his troops, and in advance of his transportation for his army. On the 26th of February, he hears of my arrival at Fort King, and immediately writes to the War Department a denunciatory letter against me, formally reporting that my movement had thwarted his plan of campaign, and stating distinctly that his plan was to have marched upon the enemy on the 8th of March.

I will pause here, to call the attention of the Court to this formal announcement of his *plan*, and the defeat of it by my movement, in order to connect with it, in the view of the Court, the several passages which I have caused to be spread upon the record, all taken from the original letters of General Scott, wherein that general over and over again reports officially to the War Department, that, of his means of transportation, "not a horse or a mule has arrived"—"not a wagon, &c., has arrived"—"the steamboat Essayons, like every thing else left behind, has not arrived"—"the South Carolina troops have not arrived;" sometimes he writes, "they have not been heard of." Captain Wharton and his dragoons had not arrived. Certain troops that had arrived, had refused to be mustered into service, and thus crippled him to such an extent that, finally, the strong necessity of the case compelled him to lean upon the brave Louisianians and regulars under my command; for, on the 6th of March, we find him still at Picolata, writing that, if the Louisiana troops or those of General Gaines shall not be at Fort Drane, it will be indispensable for him to suspend his movement until the arrival of Captain Wharton. In his strong agony, General Scott, who had been directed to prosecute the war, and had authority to command into service men and means, was obliged formally to report that, unless the troops of General Gaines were at Fort Drane, it would become indispensable for him to await the arrival of Captain Wharton. I have caused to be placed upon your record the official report, showing that Captain Wharton did not reach Fort Drane until the 23d of March. Of course, by General Scott's own showing, he could not have marched upon the enemy until that date; and it is upon your record that he did actually move within three days after it. So that, under no possible statement of facts, can it be made to appear that my movement delayed him over three days' time.

But, Mr. President, since I am upon this topic, I will proceed to show that he was not delayed, by my movement, even those three days. I refer you to General Scott's own letters written from Fort Drane—they are;

upon your record—reporting, officially, his reasons for assigning the 25th of March for the movement of his divisions upon the Withlacoochee.

Among those reasons, General Scott dwells upon the necessity of fixing a day that late, in order to be certain that General Eustis and Colonel Lindsay would be in *position*. It is here to be remarked that General Scott's plan contemplated a simultaneous movement from Fort Drane from the north, Volusia from the east, and Tampa bay from the south. Hence, on a philosophical principle in determining the strength of a beam in architecture, that the weakest point in the beam is the measure of its strength—on the like principle, the slowest, most tardy, or most obstructed division of the three divisions of the army advancing upon the Withlacoochee, must necessarily have determined the whole movement. That division was not the right wing, at Fort Drane, into which my force had been merged, and which, of course, was the only one that could, in any manner, be delayed by my movement; but it was the left wing, at Volusia, under General Eustis; for, I refer to your record again, where you will find an official letter from General Eustis to General Scott, reporting his fear that, with all his efforts, he might not be able to reach Pelaklikaha before the 27th or 28th of March. In fact, Mr. President, he did not arrive *in position*, (I use a favorite term of General Scott,) he did not arrive in position at Pelaklikaha, until the 31st of March, where he should have been by the 27th of that month, in order to make a simultaneous movement upon the stronghold of the enemy with the other divisions of General Scott's army. Thus I have shown that, while my troops made an essential portion of the right wing of General Scott's grand army, without which that wing would have been the weakest of his three divisions, and altogether below the original design of General Scott, (owing to the disgust or defection of a certain portion of the Georgia volunteers, who refused to be mustered into service,) yet that wing could not have been delayed more than three days; but what still more strikingly illustrates the perverse and untiring efforts of General Scott to throw the responsibility of his delay upon my movement, I have shown that his left wing, that of General Eustis, at Volusia, (and the zeal and energy of General Eustis have often been eulogized by General Scott himself—see his report from Tampa bay,) the left wing, I repeat, was not able to get into position until the 31st of March; whereas the right wing, embracing my command, was actually on the Withlacoochee, under General Scott's orders, on the 28th of that month. It is worthy of remark here, that General Scott, although he arrived as late as the 28th of March on the Withlacoochee, had appointed the 25th for leaving Fort Drane. But it seems it rained on the 25th, and the movement was deferred that day, possibly because the little steamboat Essayons was not there, with her comfortable cabin. It can hardly be urged that I caused it to rain on the day appointed for the march. The 25th being the day appointed for the movement, it may seem strange that the "right wing" did not reach the Withlacoochee until the evening of the 28th, a period of four days—the distance being less than thirty-five miles. Every previous movement between Fort Drane and the Withlacoochee had been accomplished in a day and a half; but, as soon as General Scott presented himself in person, it required four days (including the rainy 25th) to accomplish the same march; and this fact presents a tangible, palpable, undeniable instance of delay, that can in no manner be attributed to me or to my movement. With what pretence, or with what

shadow of reason, then, can it be asserted that my movements delayed those of General Scott?

I refer the Court to the testimony of General Clinch upon this point, and I will return again to General Scott at Picolata; apologizing to the Court for having left him there so long, hastening, myself, into the enemy's country in advance of him—I can only plead the force of *habit*.

General Scott, as I have said, heard of my arrival at Fort King on the 26th of February, but made no movement from Picolata until the 9th day of March, although he had reported, from Augustine, his expectation of moving by the 20th of February, and although he had also reported that his plan of moving on the 8th of March had been thwarted by my march upon Fort King. Had he thus been ready, why did he not move? I had the men; he should have had the means. Had he been thus ready, it would have been a very simple matter to have left "in position" at Picolata a portion of his force, to be substituted by the troops of my immediate command, at Fort King or at the Withlacoochee, and, taking up his *means*, have rushed to the theatre of the war, there to co-operate with me, or take command of the troops, which I was always, from my first arrival in Florida, ready and willing to turn over to him, on finding him authorized and willing to employ them for the protection of the frontier, and in subduing the enemy. Had he been thus ready for action, his duty was plain; if not, what can justify the perseverance in wrong exhibited by the entire absence from your record of all explanation on his part. In all that voluminous pile of papers upon your table, he nowhere has shown the magnanimity to correct the false impression to which he vainly gave currency with the sanction of his official signature. But, Mr. President, I will return to Picolata. I really find it as difficult to remain there as General Scott did to get away from there. It was on the 1st of March that General Scott, still at Picolata, received my despatch from the Withlacoochee of the 29th of February, in which I suggest a co-operation from Fort Drane, in order to occupy both sides of the river at the same time—the enemy having shown so great facility in crossing that river, and requesting, as I did, a supply of 6,000 rations.

It is important for the Court to bear in mind that my despatch of the 29th of February was received by General Scott on the 2d of March; and also important to bear in mind that my despatch of the 28th of February, making precisely the same call for supplies as that of the 29th, was received by General Scott on the 1st of March. I now pass to the 9th of March, and I request the Judge Advocate to read the official letter of General Scott of that date, written between Picolata and Garcy's ferry.

In the letter just now read General Scott declares he had not received any information of the operations on the Withlacoochee of a date later than the 29th of February, (referring to my despatch,) either *official* or *otherwise*. He goes on to state that, on the morning of the 9th, he heard of a certain rumor by a steamboat—a *rumor by a steamboat!*—which rumor he states was confirmed by letters received by him six hours later, and he refers to the letters. In order to ascertain the character of that *rumor*, I desire the Judge Advocate to read the two letters referred to by General Scott. They are from Major Lytle, paymaster of the army; a most gallant and distinguished volunteer aid-de-camp to General Clinch in the memorable fight of the 31st of December, 1835.

Mr. President, in neither of these letters is there any allusion to any ru-

mor whatever. Major Lytle, with all possible business-like brevity, simply communicates to General Scott the fact that General Clinch, with the troops at Fort Drane, had gone down to the Withlacoochee to *escort* supplies of provisions and ammunition to General Gaines. The Court will not fail to remark that in both letters the same phraseology is used in allusion to General Clinch's movement. *He had gone down to escort supplies.* There is not one word about any matter foreign to that object, in confirmation of any rumor whatever; and in neither of these letters from Major Lytle, expressly referred to by General Scott, is there the remotest hint of necessity for a *rescue* on the Withlacoochee. Yet General Scott officially reported to the War Department that he is moving to the *rescue of General Gaines*; and, to convey an idea of the imminent danger of General Gaines, he reports that, of some 240 men ordered on from Picolata, "even that small force may arrive in time to render essential service."

I must stop here to remark that this letter from General Scott, together with others from the same source, was published, as I have recently understood, in all the principal newspapers in the country, and was calculated, if not expressly designed, to misrepresent my efforts to put an end to the war, and to heap calumny and disgrace upon me and the force under my command, as far as the reckless author and publisher had weight of character to give effect to their official calumnies.

This remarkable *rescue-letter*, I go on to observe, was written upon the receipt of two letters from Major Lytle, in which that officer reports, in the simplest manner, without hurry, without urgency, a movement of General Clinch in escort of supplies to General Gaines. But this is not all of Major Lytle's communications. He proceeds to inform General Scott that General Clinch expected to return by the 9th day of the month. In so simple and unsophisticated a light was that movement regarded by Major Lytle, and by General Clinch himself, that, without calling upon General Scott for aid of any sort, either of men or supplies, he communicates the expectation of General Clinch, that he would return to Fort Drane by the 9th of March—the very day of the writing by General Scott of the *rescue-letter*. At the very moment of writing that letter, so studiously worded to convey the idea of my being in danger, and of his (General Scott's) hastening, in defiance of all his plans of campaign, to my *rescue*, had he honestly read the letters of Major Lytle, he would have seen that General Clinch was probably back again at Fort Drane with his escort, as he had expected to be on the 9th, and as, in point of fact, he was on the 11th of March. But this is not all—worse, much worse, remains to be told; for, on referring again to the letters of Major Lytle, it will be seen that, in a postscript, in a mere memorandum, so little importance did he attach to it, he refers to a third express having been received from General Gaines, but describes it as a mere copy of the previous despatch of the 28th of February. The Court will now see why I desired its attention to the fact that the despatch in question had been received by General Scott on the 1st of March. The very identical information upon which the *rescue-letter* was written, so far as it called upon General Scott for aid, had been received as early as the 1st of March. But how was it acted upon at that time? This Court and my country shall see. I request the Judge Advocate to read the letters from General Scott to General Clinch of the 1st and 4th of March, 1836.

In these letters the Court will not perceive any thing like *hastening to the rescue*. Very far from it. The truth is General Scott, at this stage of the business, imagined he had it in his power, not indeed to starve me and my command *in my position* on the Withlacoochee, but to starve me *out of it*—calling me an *interloper*, and using, in connexion with my name, an expression of his indignation. *His indignation!!*

“When Haman saw Mordecai in the king’s gate, that he stood not up, nor moved for him, he was full of *indignation* against Mordecai.”

My accuser, Major General Winfield Scott, *commanded General Clinch to afford me no supplies, and prohibited his making any detachment to me*. There are the evidences upon your table, in the handwriting of General Scott. Let him escape from the consequences if he can. For the honor of my country I could wish it were possible; but, with every allowance that can be made, there must inevitably be in reserve a blank-leaf in the annals of war to be foully blotted with the story of that transaction.

I proceed. After attempting to starve me out of my position, and force me back upon Fort Drane—a movement that must have been fatal to the security of the then recently bleeding frontier of Florida—my accuser quietly waited, in security himself, at Picolata, from the 1st till the 9th of March, beyond all doubt hoping daily to hear of my disgrace, and not of the defeat of the Indians. On the 9th of the month, instead of hearing the long and anxiously-looked-for intelligence of my retreat, he received two letters from Major Lytle, reporting identically the information that had been received by him (General Scott) as early as the 1st of the month, without inducing the smallest effort at a rescue, with the addition that Clinch, in defiance of his orders, and, beyond all doubt, in contempt of them, had gone down—not with a force to the *rescue*, but in command of an *escort* with supplies; and, if need be, to fight his way to the position which he knew, and General Scott knew, from my despatch of the 29th of February, I had deemed it proper to maintain, where I could hold the enemy in check, and where I ultimately subdued them, and forced them to sue for peace. What could General Scott see in the movement of the noble-hearted Clinch, taken in contrast to his own heartless inactivity, but disgrace for himself? And how clearly does it prove the truth of my remarks to the officers of my command upon the Withlacoochee, which you have in evidence, that, in failing to move, upon the receipt of my despatch, *he could not but commit suicide upon his reputation!*

I have not introduced these letters and remarks for the purpose of throwing blame upon General Scott. That a deep and abiding odium must indeed attach to him, upon this showing of the case, is a necessary consequence, but not the object, of this exposition.

General Scott, by the letters here exhibited, had, and intended to have had, a powerful effect, not only upon my movement, but upon my reputation; and down to this day his reports and his showing have had almost exclusive possession of the public attention, excepting, indeed, upon the Southern and Southwestern frontier, where my conduct has been witnessed and approved.

But there is still another letter which must pass under my examination; and well would it have been for General Scott had he never written it.

I remained on the Withlacoochee until the 10th of March, and moved to Fort Drane on the 11th, where I remained until near 10 o’clock on the

14th. General Scott arrived at that place on the 13th with a mounted escort, having been four days in travelling 65 miles, moving, be it remembered, "*to the rescue of General Gaines.*"

I will here take occasion to contrast with his *rescue*-march of about 15 miles a day, the movement of an efficient officer in a recent case. During the past summer, Brevet Lieutenant Colonel Pierce, then a major, being at Garey's ferry, on Black creek, a point at a distance from Fort Drane the same as that of Picolata, (about 65 miles, as shown by one of the letters of Major Lytle,) received by express, at 10 o'clock at night, intelligence of a movement of troops upon Fort Drane, and calling on him for supplies. This call was promptly met by Colonel Pierce. He mounted his horse; packed his supplies; paraded his small body of troops as an escort, and, at 2 o'clock in the morning, but four hours after the receipt of the express, he was on his way to Fort Drane, and, pushing on with all his ability, arrived there the following evening; having in two days accomplished the march, 65 miles, escorting at the time a baggage-train with supplies for the troops commanded by Governor Call. Will it be said that General Scott was without the means of transportation? Although much of that which he had ordered from Savannah had not arrived, yet the baggage-train of General Clinch from Fort Drane had reached Picolata on the 2d of March, the very day on which my despatch of the 29th February was received by General Scott at Picoiata. The baggage-train was, however, there detained until the 6th of the month, when it was allowed to move slowly to Fort Drane, where it arrived on the 10th or 11th of March. Besides, some of his own wagons had arrived from Savannah, and there was a mounted corps of about 360 men then at Garey's ferry, every horse of which, in case of need, was available as a pack or draught animal. There must also have been in Picolata and the neighborhood some horses, mules, wagons, and carts within reach: and the town of St. Augustine was but 18 miles distant.

The river St. John's, which is supposed to be near 3,000 yards wide at Picolata, may have been a little boisterous; but there was a steamboat at Picolata, and it is apparent, from the testimony of Captain Drane, that this small steamboat, (the *Essayons*,) aided by a common ferry-boat, would cross with supplies in any state of the winds or weather. But it seems, from General Scott's statements in his letters before referred to, that he was satisfied with the plea that the river was rough and difficult to cross from the 2d to the 6th of March; and hence it was that instead of my supplies being promptly forwarded by the baggage-train of General Clinch, its movement was suspended for four days' time, to enable General Scott to accomplish his *starving-scheme* of the 1st and 4th of March, and then to get up his *rescue-scheme*.

I come now to a new exhibition of the evil genius of General Scott, which I will take leave to designate his *sortie-scheme*. For this purpose I request the Judge Advocate to read the official letter of General Scott to the Adjutant General, dated at Fort Drane the 14th of March, 1836.

The Court must perceive in this letter the obvious spirit of the *rescue*-letter, exaggerated to an amazing enormity. In this letter General Scott, believing that he had access to the public through the habit of publishing official correspondence at Washington, availing himself of this advantage, misrepresenting the facts connected with my movement, and defaming, or attempting to defame, my public and military character—he

deliberately states, and certifies that he has it upon good authority, that I had opened a communication with the Indians on the Withlacoochee; that the Indians were stipulating that the Withlacoochee should either be the temporary or permanent boundary between the red and white men, and he falsely records that, but for the timely arrival of General Clinch, he has no doubt General Gaines would have concluded a treaty upon one basis or the other; stating, moreover, that the Indians had taken a position in my rear to intercept my retreat upon Fort Drane.

General Scott wrote this *sortie*-letter at Fort Drane the 14th of March, where he had arrived on the 13th. From the time of his arrival until near 10 o'clock on the morning of the 14th, (the date of his letter,) all the officers who were at the council with the Indians upon the Withlacoochee were present at Fort Drane, and entirely accessible to General Scott. He did not send for nor consult any one of those officers, but made the statement contained in his letter upon some carefully-concealed *anonymous* authority, which however he endorses. Of those officers who were at the council, you have, upon your record, the testimony of Captain Hitchcock, my acting inspector general, who had my immediate instructions in conducting the council on my part. You have also two letters from two of the other officers, in all material respects coincident with the testimony of Captain Hitchcock. The fourth officer you have it in evidence was not applied to for a statement, because his place of residence was not known; but Captain Thistle has sworn to the belief of that officer in the sincerity of the Indians.

The Court will pardon my dwelling a moment upon the extraordinary fact that General Scott, at Fort Drane, should have carefully avoided every known and acknowledged source of correct information upon the subject, and officially have given the sanction of his name to a statement utterly at variance with truth, and that statement not merely calculated or intended to degrade me individually, but to fix a stain upon the American arms. That General Scott could, by any force of prejudice, passion, envy, or disappointment, be induced to place on record in the archives of the War Department a statement calculated or designed to disgrace his profession and country in my person, without making the least exertion to obtain the truth from those only who were acquainted with it—I mean the officers at the council—is a most astonishing instance of folly and malice.

General Scott states that I opened the negotiation with the Indians. You have it on record, gentlemen of the Court, that the Indians, and not myself, opened the council. It was the Indians who sought the interview with me at Camp Izard, and the very first declaration they made was, that they did not wish to fight any more—that they had had fighting enough, and wanted to make peace. General Scott states that the Indians stipulated the possession of the country, on their part, with the Withlacoochee as a boundary. The evidence on your record is in positive contradiction to that statement. Not only did they not make such a stipulation, but you have it in evidence that they were told over and over again that they would be compelled to submit to the whites. Well knowing, as General Scott must have known, that the Indians in the rear of my camp were under the protection of a white flag, he makes no hesitation in asserting that those Indians had assumed a position there for the purpose of intercepting my retreat.

I will now pass from Fort Drane to this place, to show the perseverance by which General Scott, not satisfied with writing the letter of the 14th of March, comes before this Court and voluntarily condescends to act over again that deliberate scheme of detraction.

General Scott has called before this Court, as a witness, a volunteer officer of my command on the Withlacoochee, who was not at the council, and could not, by any possibility, have been informed of the history of it in any other manner than by unauthenticated camp stories. This ignorant man, whose detail of unimportant particulars, carrying on their very face the evidence of their hearsay character, now encumbers your document, was permitted, I must think by some inadvertence of the Court, to place on the record his hearsay impressions of what passed at the council; and upon this slender foundation—this *shade of a shadow* of evidence, General Scott has been willing to build the fabric of an argument, when he had himself called before this Court Captain Hitchcock, my acting inspector general, who conducted the council, and whose knowledge of what occurred must have been *at least equal* to that of the volunteer officer, but who was not questioned by General Scott on that very important matter. It did not suit his purpose to place on the record the truth. Captain Hitchcock was here before the Court, and a sworn witness; a letter attributed to him, giving an account of what occurred at the council, was laid before the Court, and Captain Hitchcock, on being questioned on the points, answered that he wrote the letter, and that he was the staff officer alluded to in it who conducted the council. Will all this before General Scott, and knowing, as he did, that not a single fact stated in the letter (such is the rule of evidence) could legally be used as testimony unless sworn to, he failed to put a single question to the witness on the subject of the council.

If in speaking of the letters of the 9th and 14th of March, I use language of a strong indignant tone, I have no other apology to offer than the deep provocation arising out of the character of the letters themselves. The *starving-letters* of the 1st and 4th of March, addressed to General Clinch, though disgraceful in the highest degree, have not the peculiar atrocity which attaches to the rescue-letter of the 9th of March, and its *postscriptum* of the 14th of March. The starving letters could only operate a temporary inconvenience, and, in fact, as they fell into the hands of a man like General Clinch, who despised them, they were powerless in their object, and the disgrace of their depravity must, of necessity, be visited upon their author. But the other letters, designed to work a disgrace upon the American arms, in my person, must, by the ordinary course of things, if not checked and marked as I shall mark them, work evil in one of two ways: either they would be published by the War Department, as the official despatches from a commander in the field usually are, and thus abuse and poison the public mind, certified to as they are by the official signature of the commander, and receiving additional strength from the channel through which they are given to the public, or they must be deposited in the archives of the Department of War, there to be covered up and concealed in their loathsome enormity, for a time, until death shall remove the innocent victim of their falsehood, when some curious searcher after materials for a history brings them to light, spreads them far and wide, and transmits them to posterity beyond the reach of contradiction or question.

In truth, one of the letters, that of the 9th of March, was published, as I understand, by the War Department, and down to this day has been instrumental in spreading the poison of its falsehood. The other, possibly from its very enormity, was not published, and was in a fair way to take the other channel to posterity, and, but for the investigations of this Court, might have reached, uncontradicted, its destination.

Having shown, as I doubt not, to the satisfaction of the Court, that it was my right and my duty, under the deeply-afflictive circumstances of the case, (as the commander of the Western department,) to collect together at New Orleans the force at my disposal, and make to General Clinch the solemn and irrevocable pledge contained in my letter of the 2d of February, 1836, to co-operate with him in subduing the enemy, and for that purpose to march to Fort Brooke, and thence to Fort King; and in pursuance of my plan of operations announced to that meritorious officer in my letter of the 22d of February, "to search for the enemy until I should find them, and then **BEAT** them or be myself beaten," and to continue my operations against them whithersoever they might go until I should subdue them, or until I should find General Scott at the theatre of the war, the only proper place for him to relieve me, or, if he preferred it, to co-operate with me; and that it was my right and my duty to avail myself of whatever supplies and force I could find within the limits of my department; it remains for me to show that, when so reinforced and replenished, it was my right and my duty to continue my movement to the Withlacoochee; and on meeting at that place the enemy's principal force, to fight them precisely as I did, according to my own plan and my own judgment, in the best possible way to subdue them effectually, and at the least possible risk of dispersing them, until the arrival of supplies and mounted force from Fort Drane, and to subdue them without the useless sacrifice of my troops, who were always more than willing to encounter every privation of food and rest and every danger.

Mr. President, I affirm that there was no law, order, or regulation tending to restrict me in the full and perfect right of meeting the enemy in the manner I met them at the Withlacoochee. The evidence of Colonel Twiggs, the efficient commander of the "light brigade," General (acting Colonel) Smith, who would do honor to the command of any corps in the regular service, Captain Hitchcock, my excellent acting inspector general, and Captain McCall, my long-tried and faithful aid-de-camp, officers who have proven themselves to possess a high grade of moral courage, and talents, and efficiency, (whose statements are in every material point in accordance with the recollections of every other intelligent officer with me on the campaign, whose impressions were known to me,) concur in the facts that in every conflict I had with the Indians I effected the object in view.

In the first affair (on the 27th of February) I had ordered my rear guard and baggage-train to halt at the nearest open plain adjacent to the river-hammock, and within 400 or 500 yards of the river, at General Clinch's crossing-place. My object was to examine the place, and then encamp for the night upon the open plain, where I had left my rear guard and baggage. The river was examined and found unfordable, when the action commenced. The action continued across the river, where it was but 25 to 30 yards wide, for some 30 to 40 minutes, and until the enemy's slackened fire proved that they had principally retired from the conflict.

This fight was without a breastwork. The next day's conflict took place about 2½ miles lower down the river, at a more convenient point for crossing. This fight also took place without a breastwork. Here I deemed it proper to prepare canoes and other means for crossing. These preparations could not be completed until the 29th of February, when I found undoubted evidence of the fact which I had reason, on the 28th, to suspect, that I had before me the principal force of the enemy, consisting, as I then believed, and as I do still believe, of near fifteen hundred Indian and black warriors. It has been vaguely surmised by my accuser, who, at the time of the several conflicts, was then at Picolata, that the principal force of the enemy was not before me at or near Camp Izard. The principal and most intelligent officers of my command concurred with me in opinion, (see the testimony of Colonel Twiggs, General Smith, Captain Hitchcock, and Captain McCall;) and upon this point permit me to ask, if the principal force of the enemy was not before me on the 29th of February, where is a shadow of proof to be found that any considerable portion of the enemy was on that day, or for weeks after that time, at any other place than the cove or Withlacoochee swamps, near Camp Izard?

I then deemed it proper, as stated in my communication to General Clinch, to await the arrival of that officer or General Scott, with mounted force and supplies, as I felt convinced that these officers would gladly hasten to the theatre of action, having a few days previously seen a letter in the hands of General Clinch, written by General Scott, expressing a wish to know where the principal force of the enemy could be found. I could not doubt that, as he had arrived safely at Picolata, the termination of steam navigation, and but two days' ride distant, he would come promptly to the place, where I was convinced that, with the aid of a small corps of mounted men, either of us could have put an end to the war before the 20th of March. My "Order No. 7," of the 9th of March, gives a concise outline of the result of my operations. Compare that "Order" with the testimony to which I have referred, and you cannot fail to find the facts which I have in that order stated, fully and completely established; that with the chivalric Louisianians under General Smith, the brave infantry and artillery under Colonel Foster and Major Belton, the whole forming the "light brigade" under Colonel, acting Brigadier Twiggs, I did "*subdue the enemy, and did force them to sue for peace.*"

But this honorable Court is told—as the War Department and the people of this nation have been told through a thousand channels, (as corrupt as the spirit of party could render them)—that the enemy could not be sincere in their admission that they were tired of fighting, and that they wished to make peace: and for why? Because, forsooth, the alleged beating and suing for peace was accomplished without my having made a sortie!—and that Major General Winfield Scott said so!!

The word *sortie* appears to have had in it for General Scott a singular charm. He had seen my letter of the 29th of February, stating that I *had abstained and should abstain from a sortie*, until I heard from him or General Clinch. He appears thus to have taken up the idea of a sortie: and instead of reasoning as I did, and as every man of sound principles and military mind would, he endeavors to torture it into an accusation against me. Who authorized General Scott to animadvert upon my measures in the command of my department? Mr. President, do you, does the Court know of any law or authority by which that officer could prop-

erly interfere with me, or himself sit in judgment upon my conduct? No such authority ever existed. He was never authorized to command *me*. He was authorized to extend his operations into my department; and it is in proof before this Court that I was ready and willing to place under his command the forces near me, whenever he appeared in person, ready and willing to command those forces; but I knew too well what was due to them, the frontier, the service, and my own reputation, to abandon them before the enemy, merely upon the receipt of a report that he was *ordered on* to take charge of the war, when I had also learned that he had halted for some ten or twelve days, sixty miles from my department. This Court is in possession of the first and only authority ever given to any officer or tribunal to call in question or animadvert upon my conduct in relation to the Seminole war. This Court possesses the precise power comprehended in the orders given by the President, to inquire into the causes of the failure of the campaigns against the Seminole Indians.

Mr. President: Your powers in reference to my movements in East Florida hath this extent—no more. If you find that, by any *omission* or by any *act* of mine, a *failure* ensued in any of the campaigns against the Seminole Indians in the year 1836, it is your duty to mark and to animadvert on such act or omission. But even this Court has no right to animadvert on or object to any such omission as that which General Scott has thus condemned, namely, the omission to make a *sortie*, unless, indeed, this Court can upon its oath say, in the spirit of Order, that such omission to make a *sortie tended in some way to occasion a failure*. But, when it is obvious from the testimony upon your table a sortie would have been attended with no possible benefit to the service, and that it might, on the contrary, have contributed to disperse the enemy, whilst the denounced act of omission was followed by irrefragable evidence that the enemy were subdued and sued for peace, I cannot but anticipate the expression of an opinion by this Court approving my conduct, and awarding to my accuser the marked rebuke which his numerous vindictive accusations in his several letters and orders upon the subject so loudly call for. It is obvious, from the labored and long-continued efforts of General Scott to distort the facts connected with my measures on the Withlacoochee, that he must have felt convinced that nothing short of my conviction of some great error or misconduct could save him from inevitable disgrace. Hence it was that, after making use of the most glaring and clumsy pretexts to get up the starving-scheme of the 1st and 4th of March, and then his rescue-scheme of the 9th of March—after exhausting his powers in vain to prevent General Clinch from furnishing me with supplies, the *sortie-scheme* was devised and put forth with a *zeal* and a *perseverance* which, if properly applied to preparatory measures and movements against the enemy during the month of February and first five days of March, would probably have contributed to enable that officer to relieve me, and appropriate to himself the honors of subduing the enemy, and forcing them, as I did, to sue for peace.

Had General Scott arrived at Camp Izard at 9 o'clock on the night of the 5th of March, attended only by his staff or a corporal's guard, and an hour after his arrival the *black herald* of the enemy had announced to him, as in point of fact he did to me, that *the Indians did not want to fight any more, and desired to come in on the next morning and shake hands and make peace*; and had their chiefs the next morning approach-

ed the camp with a white flag, and stated to General Scott, as they did to me, that they were tired of fighting, having had many of their warriors killed and others disabled by wounds, and therefore wished to make peace and fight no more—can this honorable Court doubt but that General Scott's *modesty* would have yielded to such an appeal? Can it be doubted that General Scott would, in so trying an emergency, have argued himself into the conclusion that *his* arrival in camp had electrified the savage foe, and induced them to sue to *him* for peace? Extravagant as such a conclusion would certainly have been, under all the circumstances of the case, it would have been viewed by me as a very trivial fault compared with the atrocious fraud and perfidy practised by that officer upon his Government and country, the army and myself, and, though last not least in point of atrocity, upon the deceived and miserable Indians: first, by a false and malicious statement, in his letter to the Adjutant General of the 14th of March, [see page 702;] and, secondly, disregarding my arrangements with the Indians, and vainly attempting to get up an exterminating war against them.

THE STARVING-LETTER OF MARCH 1, 1836.

General Scott to General Clinch, (document No. 60) dated

"PICOLATA, March 1, 1836.

"By the arrival, at daylight this morning, of the express from Fort Drane, I have your note of yesterday's date, accompanied by a letter to you from Major General Gaines, dated the day before.

"I regret, in every point of view, the premature and unauthorized movement from Tampa bay, made by that general, and the very awkward and responsible position he has placed himself in by his subsequent march from Fort King. I presume that, as instructed, you sent him my Order No. 4, dated the 26th ultimo. By that he saw that if the troops he brought with him from Tampa bay could not be subsisted at Fort King, by means of supplies derived from this place, through the Ochlawaha, it was expressly commanded that the column should march to Volusia without delay, where subsistence in abundance would be immediately provided. But he had, before that order reached him, taken from Fort Drane a large part of the subsistence relied upon for a more systematic course of operations, and *decamped*. The order, however, I take it for granted, was sent after him, and in time to reach him within twenty miles of Fort King. In any event, the responsibility of his movements, and actual position, is his own; for he must have known, as early as the 10th ultimo, if not before, that I had been charged with the general direction of the war in Florida, and that, by interfering, he constituted himself an *interloper*.

"Even if you had sufficient stores on hand, and means of transportation, I should, under the circumstances, command you to send no subsistence to him unless to prevent starvation; but you have neither. Let him, therefore, in time, extricate himself from the embarrassment he has placed himself in by marching upon Volusia,* where I have no reason to doubt that 20,000 rations, sent hence on the 27th ultimo, have safely ar-

* This move would give the Indians the uninterrupted control of the frontier of Middle Florida
E. P. G.

rived. As he appears to have a retreat open to him, or is in no peril to prevent his taking that step, you, of course, will make no detachment or movement to join him.*

"The train you have ordered hither is expected to-night: as yet, we have here but few wagons to add to your numbers. The whole train shall be immediately loaded with subsistence, and sent back to Fort Drane. I have only time to say that, should the troops under Major General Gaines be compelled to march back to Fort King or to Fort Drane, instead of proceeding to Volusia, as heretofore commanded, and as I still wish they should do, on account of the extreme difficulty of sending subsistence to your neighborhood, you will only issue rations to them for their current subsistence, and not for further false expeditions.

"As the first consequence of the arrival of the troops from Tampa bay to Fort King, and the demand made upon Fort Drane for subsistence, I was obliged to order back a battalion of Georgia volunteers, that had then been nearly two days in route to join you.

"The company of mounted men from the same State, now on the opposite side of the river, refused to be mustered into service, and refused to come under the rules and articles of war. The other companies of the same battalion may follow their example; if they do, I shall lose no time in ordering the whole back to their homes.†

"Major Gates, with his three companies, has not arrived; and I have no intelligence respecting the United States dragoons, of a recent date. Finally, the horses for some days expected for Savannah have not arrived. These embarrassments may detain me here I know not how long.

"The left wing is moving upon Volusia with system and success. The South Carolina foot constitutes the advance, and I suppose the mounted regiment from the same State is now crossing the St. John's at Jacksonville.

"Send another copy of my Order No. 4 to Major General Gaines, and a copy of Order No. 1, which is enclosed for the purpose. The former is reiterated so far as respects the march to Volusia, if this be practicable; and enclose him a certified copy of this letter for his government and your justification.

"I remain, in haste, your obedient servant,

"WINFIELD SCOTT.

"P. S.—I am instructed by Major General Scott to say, that the quartermaster's return did not accompany your letter of the 27th ultimo. No return has been received of your ordnance or ordnance stores, particularly the fixed ammunition for muskets. Please to send one.

"Respectfully,

"A. VAN BUREN,
"Aid-de-camp."

* Supplies could not be sent to me without the detachment or movement here forbidden.

E. P. G.

† And yet, whilst the troops near him are refusing to serve, he is giving orders for the troops in the field to be starved!

E. P. G.

‡ This is protecting the frontier, with a vengeance.

E. P. G.

THE STARVING-LETTER OF MARCH 4, 1836.

*General Scott to General Clinch, (document No. 69,) dated**"PICOLATA, March 4, 1836.*

"I still presume that Major General Gaines will be obliged to fall back on Fort Drane which increases my anxiety to send the wagons (with some additions) loaded. I would prefer much that the force brought with him was back at Tampa bay, or rather that it had not marched from that place; *provided* that the movement fails to crush the enemy, or to terminate the war. *The worst result, next to the loss of that fine body of men, or a third of it, would be mere success in driving the enemy into the lower country, where I suppose it would be almost impossible* for us to follow—I mean *below* the waters of Charlotte harbor. Hence my indignation that an isolated attack should have been made from your vicinity, well calculated to produce that result, and at a time, too, when you knew, and Major General Gaines must have known, through you, (and before,) that my plan, with ample means, was to move simultaneously upon the Withlacoochee, in three columns—from Tampa bay, the upper crossing on the Ochlawaha, and Fort Drane—so as to make it impossible for the enemy to escape to the lower country.

"I have not yet supposed that Major General Gaines has not his retreat upon Fort Drane or King perfectly in his power. On account of subsistence, if he can cut his way through the enemy to Tampa bay, I should much prefer that his force should be there; and when I wished him to march or send that force to Volusia, it was because it could be infinitely more easily subsisted there than at Fort Drane. Should he, however, be in any difficulty in operating a retreat from the Withlacoochee, I certainly wish you to afford any succor that the slender means within your reach may allow; and this, doubtless, you would render without any special permission to that effect. If the force return to Forts Drane or King, it must be subsisted for at least five or six days from the means derived from this place; and hence I *now* prefer that it should become a part of the right wing rather than take that quantity of subsistence from you, and march back to Tampa bay."

*General Scott to the Adjutant General, (document No. 68,) dated**"PICOLATA, March 6, 1836.*

"I at length know that the South Carolina mounted regiment reached Jacksonville yesterday. It is destined to make part of the left wing."

"Besides, Brigadier General Eustis has necessarily been compelled to wait for the South Carolina mounted regiment, which cannot reach St. Augustine before the day after to-morrow, and Volusia before the 12th."

"If the column under Major General Gaines had fallen back upon Forts Drane or King, the right wing would have wanted nothing but subsistence, and the forces now in this vicinity, and known to be coming up, to act with vigor and effect."

"To add to my numerous vexations, the wagons reported to have been shipped at Baltimore in the Arctic have been left behind."

"I send no more troops, for the present, to Fort Drane, on account of

the difficulty of subsisting them there. *If Major General Gaines shall not fall back on that point, it will be indispensable to wait for Captain Wharton.*"

Aid-de-camp Van Buren to the Adjutant General (document No. 97,) dated

Fort Drane, March 25, 1836.

"Captain Wharton, with his detachment of dragoons, reached this the day before yesterday."

GENERAL SCOTT'S RESCUE-LETTER, MARCH 9, 1836.

General Scott to the Adjutant General, (document No. 71,) dated

"BETWEEN PICOLATA AND GAREY'S FERRY,

"March 9, 1836.

"I have just set out for Fort Drane, via Garey's ferry, on Black creek, with two companies of regulars, and intending to take with me from the latter place the small battalion of mounted Georgians, (heretofore mentioned,) under the command of Major Douglass. Lieutenant Colonel Bankhead is at the head of the first detachment, and the two, together, may make a total of about 240; but even this small force may be important to rescue Major General Gaines.

"I had not received the slightest information of the operations on the Withlacoochee (official or otherwise) of a later date than the 29th ultimo, up to this morning, and had concluded that he had effected his march with more or less success against the enemy, upon Tampa bay, when, at daylight, the steamer that I am now in arrived and brought the rumor, which is confirmed by the two accompanying notes from Paymaster Lytle, received about six hours afterwards. On the reception of the rumor, I immediately commenced preparations for this movement; but, being delayed by the necessity of unloading and relading the boats, I am now at anchor at the mouth of Black creek. I hope to put the troops in march from Garey's ferry early in the day to-morrow, and to reach Fort Drane with a small escort the day following. It is possible that even these little detachments of horse and foot may reach the Withlacoochee in time to render a valuable service.

"I am aware that the movement I am making may be condemned, if regarded in any other light than *a rescue*, as premature. Colonel Goodwyn's mounted regiment only arrived at St. Augustine last night or this morning, and consequently the left wing cannot be in force on the Ochlawaha, in the direction of Pelaklikaha, earlier than the 17th, or up with the enemy before the 20th instant. Colonel Lindsay, who may have already arrived at Tampa bay, cannot operate more than two days' march from that place, from the want of the means of transportation—" *Major General Gaines having taken away the horses which were there, and the basis of the right wing is merged in the force brought by that general.*

* See the testimony of Lieutenant Morris, by which it will be found that Colonel Lindsay found near *ten times* as much transportation at Tampa bay as that which General Gaines found there.

into the field, and must participate in his success or failure. If it falls back with him upon Fort Drane, it must suffer great loss; and if it follow him to Tampa bay, it will be wholly out of position.

"In this, and even a greater state of uncertainty, I have been held since the 26th ultimo. The day after I ordered back Major Cooper's battalion of Georgia foot, to prevent starvation at Fort Drane; and though daily, from that time, in the expectation of receiving from Savannah horses and serviceable wagons, not one has arrived. The quantity of subsistence that will be at Fort Drane (say) to-morrow, will only be that sent from Picolata on the 6th instant, viz: 17,497 rations of bread and flour, 11,000 rations of pork, (with beef-cattle in the neighborhood,) 80,000 rations of beans, some coffee, vinegar, &c. And the troops now about to proceed, perhaps as far as the Withlacoochee, will not have the means of taking with them rations for more than six days.

"I beg leave to recapitulate the causes of my great deficiency in the means of transportation :

"1. The wagons and horses, which I knew Brigadier General Clinch to possess early in February, have been more broken down by hard service and bad roads than I had expected to find them.

"2. I had, upon what was considered in Georgia, and even at Picolata, the best information, confidently relied upon the use of the Ochlawaha as late as the 2d instant.

"3. No bacon has arrived; and the difference between it and pork, including wood and brine, is fifty per centum against the latter.*

"4. The wagons purchased at Charleston and Augusta, by Assistant Quartermasters L'Engle and Peyton, are generally poor, and many of them unserviceable.

"5. The six or ten wagons actually reported to have been shipped at Baltimore in, I think, the Arctic, with Major Gates, were all left behind.

"6. Of the 19,000† rations known to be at Fort Drane about the 25th ultimo, nearly the whole have been drawn by a force not expected by the Government or myself to appear in that quarter.

"And, 7. Not a horse for the baggage-train left by me at Savannah, or which I have since ordered to be purchased by Assistant Quartermaster Dimmock, has arrived in Florida.

"On the 21st ultimo, when I was but twenty hours from Savannah, I sent back, by a steamer that was met, an order to Lieutenant Dimmock to ship about 40 horses for the baggage-train to Picolata. This order was strongly reiterated by a return steamer five days afterwards; and again, on the 2d instant, by another boat, he was instructed to send immediately, and by the speediest conveyance, 70 horses for the train, and six four-horse wagons. I had this morning a report from him, saying, after he had received my first and second orders, that he had sent all the horses wanted for draughts and packs by land, except a few which were to come as packs with Captain Wharton. Now, as the latter was about 24 days in New York, after receiving orders for Florida, and expected to remain 10 in Savannah, he cannot be looked for in this neighborhood before the

* This statement is untrue. Pork and flour is a safer and more portable subsistence for a march in the wilderness than bacon and hard bread.

† I took less than 12,000 complete rations.

E. P. G.

E. P. G.

18th or 20th instant. The other parts of the lot were, it seems, given as packs to the tenth company of South Carolina mounted men, and sent forward in a drove. They must, it is feared, arrive in a state unfit for the baggage-train (say) about the 6th instant. Such has been the failure of human agents. The weather has been equally adverse.

"If the force on the Withlacoochee should fall back on Fort Drane, it will be seen from the foregoing, that a part, at least, must probably march upon Volusia or Garey's ferry, to be within reach of subsistence. Instructions have been left behind me to send forward rations, should the means of transportation arrive in time, and the troops already in the neighborhood of Picolata—Major Cooper's and the remaining company of Major Gates's battalions. I have also desired Brigadier General Eustis, in the same event, to order to Fort Drane two companies of mounted men of Colonel Goodwyn's regiment, and a fourth order will go back in this boat to Lieutenant Dimmock on the subject of horses and wagons.

"Some rifles and the tents arrived this morning at Picolata; but Colonel Goodwyn had marched through six or eight storms without cover, and now all companies in march are to be reduced to three tents each."

"P. S. Please remark that, in his letter to Brigadier General Clinch, dated at New Orleans the 2d ultimo, Major General Gaines speaks of '*an efficient co-operation*;' promises to be 'in readiness at Tampa bay by the 8th* of the present month, to form a junction at or near that place with the force under your command, whenever, *and as soon as*, in your judgment, *your force shall be sufficient to justify the movement*;' and concludes by saying, 'a sufficient quantity of ammunition and *provisions* have been transported to Fort Brooke, *to divide with you* until further supplies are received;' yet he did not wait till the brigadier gave notice that he was 'in force;' came to Fort King, and swept nearly the whole of the subsistence collected at Fort Drane. A copy of that letter is in your office; and I now enclose one from Governor Eaton, from which it will appear that Major General Gaines knew, at Tampa bay, about the 14th ultimo, that I had been charged with the direction of the war. He first heard this at Pensacola, and received Governor Eaton's despatch at Tampa, as I can establish. Hence his haste, and neglect of the assurances given to Brigadier General Clinch;† his isolated attack, &c."

PAYMASTER LYTLE'S LETTERS OF THE 5TH AND 8TH MARCH, 1836.

Paymaster Lytle to General Scott, (document No. 72,) dated

"FORT DRANE, March 5, 1836.

"I have been directed by General Clinch to inform you that your communications of yesterday's date reached him at this post after he had mounted his horse, and was on the move, with the forces under his command, to escort supplies to General Gaines. He directed me likewise to

* I entered Tampa bay on the 9th of February, 1836.

† The subsistence belonged to my own department.

‡ To co-operate efficiently is to search for the enemy, and also to search for the force with whom we propose a co-operation. I did both. General Scott ought to have done the same.

E. P. G.

E. P. G.

E. P. G.

say to you that the distance from this post to Garey's (on Black creek) is about the same as the distance from here to Picolata. As you may wish, however, to obtain all the information possible on the subject, I will take the liberty of adding from my own knowledge, that the road from Garey's to this place is *sandy*, consequently almost invariably dry; while the road from Picolata here is muddy after heavy rains, particularly such as we have just experienced.

"Colonel Gadsden arrived here from Tallahassee on the 4th, (yesterday,) and accompanied General Clinch this morning to the Withlacoochee."

From the same to the same, (document No. 72,) dated

FORT DRANE, March 8, 1836.

"By direction of General Clinch, I opened your communication of the 6th instant, which arrived late last night, in advance of the wagons. You will perceive, by my letter of the 5th, that General Clinch, with all the forces at this post, and 100 mounted men from the vicinity, had left for Withlacoochee, to escort a small supply of cattle, ammunition, &c. to General Gaines, having received the night before a third address from that officer. No word has been received from either of these generals since the 5th. When General Clinch left here, he expected to be back on the 9th.

"The probability is, that the wagons will return without an escort, there being at present no troops here; and, should General Clinch get back before the wagons depart, his men may be too much fatigued to march again immediately: but this, of course, is merely conjecture. I am satisfied, however, that General Clinch would advise that an escort accompany the wagons back to this place, when reloaded. Captain Graham, being directed by General Clinch to send back the wagons for supplies after their arrival here, will send them to Garey's, it being the best road."

"N. B. The amount of General Gaines's last express to General Clinch, dated 3d instant, was merely copies of his previous letters, with a note stating that the Indians were still around him; but little or no fighting has taken place since his last communication."

GENERAL SCOTT'S SORTIE-LETTER OF MARCH 14, 1836.

General Scott to the Adjutant General, (document No. 77,) dated

FORT DRANE, March 14, 1836.

"On my arrival here, I found that the force which had been upon the Withlacoochee had fallen back on this vicinity.

"Brigadier General Clinch, with some means of subsistence, and about 600 men, (of whom 150 were mounted Floridians,) joined Major General Gaines on the 6th instant. The force under the latter had already been *reduced to the necessity of commencing on horses and dogs for their subsistence. After receiving that timely and important succor*, the army remained in position till the 10th.

"It may be remarked that, from the time of entrance into the in-

*trenched camp, up to the retreat in this direction, not a sortie was attempted; and that, to save the pride of the higher officer, the command was relinquished to the next in rank, in order that he might give the order to retreat.**

"A copy of Major General Gaines's order, yielding the immediate command of their joint forces to Brigadier General Clinch, is enclosed. This extraordinary paper I have but little time to comment upon. The poor sneer against me, as the *diplomatic agent of the War Department*, is in character with all his recent acts; *for, at the moment of the arrival of the succor on the 6th, he had already opened a negotiation with the enemy,* in which it is said, on good authority, that he was willing to leave them in the quiet possession of the country below the Withlacoochee until the arrival of the 'diplomatic agent;' but in which Powell insisted that that river should be the perpetual boundary between us and the Seminoles. But for Brigadier General Clinch, I have no doubt that some treaty on the one or the other basis would have been formed between the parties.** He alleged the positive instructions of the War Department against all negotiating, and he enabled Major General Gaines to save the original force with him. Not a sortie was made from the intrenched camp, from the time of its formation up to the retreat; *and, on the approach of the succor, a large detachment of the enemy had taken a position to intercept the retreat in this direction.** How, under such circumstances, it can be alleged that the enemy *has been beaten*, it would be difficult to reconcile with facts.

"I have every reason to hope that the enemy remains nearly in the same position as before the isolated, and therefore false, movement of Major General Gaines. This is fortunate.

"I have instructed Brigadier General Eustis, after scouring the country through which he will have to pass to some extent, to place his column in position somewhere in the neighborhood of Pelaklikaha about the 25th instant. Colonel Lindsay, by the same day, is to be with his force at Chickuchatty, (about two marches from Tampa;) and means are suggested to each in order to multiply the chances of communicating with each other.

"The right wing will move hence (say) on the 24th instant to attack in front. This column will pass the Withlacoochee about half a mile below the late intrenched camp, where there is a good ford, and of which Major General Gaines might have availed himself, if he had had the strength or inclination."†

Mr. President, let us look into the subject of *sorties* or *sallies*, and see what objects are usually attained or sought for in making them. The first, is to force the enemy *to abandon the siege*, or otherwise to beat them. Secondly, to *retard* and *embarrass their approaches*, by driving their guards and working-parties from their *trenches*, in order, if practicable, to prevent or otherwise to delay *the completion of their trenches*, and thus to prevent or put off as long as possible *the apprehended evil*

* See the testimony of General Smith, Colonel Twiggs, Captain Hitchcock, and Captain McCall, proving this to be false.

† The "good ford" was not fordable, when found in March, 1836.

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hour of a breach or an assault. I was particularly desirous to abstain from forcing the enemy to abandon their supposed siege, as will appear from my letter of the 29th of February, lest I should disperse the enemy: and I am sure nothing could have been more gratifying to me, and to every officer and soldier with me, volunteer and regular, than for the enemy to have opened trenches and *attempted a breach or an assault.* Whilst I abstained from a sortie, every Indian that approached in view of my breast-work did it at his peril; whereas by making a sortie the Indians could escape to their ambuscades in the thick hammock in two or three minutes' time. Under these circumstances, nothing short of the extreme of folly, or a disposition to trifle with the most important duties of the service, could have prompted me to make a general sortie without an object—such as the arrival of troops or expresses, as Colonel Lindsay's brigade from Tampa bay, or that of General Scott or General Clinch, or other troops from Forts Drane or King—until I should have it in my power, by the aid of mounted men, with supplies, to continue the sortie or sally for some days in succession, until I should have had it in my power to scour the Withlacoochee swamps and give a good account of the place called *The Cove.* To speak seriously of any other description of *sorties* or *sallies* in an Indian war, is to me something worse than absurd. It will be seen by the testimony of several officers with me, including my staff, that orders were given for the troops to be held in readiness for a sortie on the happening of any contingency, such as those just now alluded to, to justify the measure. Small parties of from 50 to 120 woodsmen and sharp-shooters were often permitted to look after the enemy for a short distance up and down the river. It is in proof before this Court, that a party of this description, composed of the companies of Captain Burt and Captain Thistle, consisting of volunteers and regulars, was out some 200 to 400 yards from camp during the action of the 29th of February, and were engaged in action with a large party of Indians (from 350 to 400, as Captain Thistle believes,) on the opposite side of the river. The conflict continued across the river, with some short intervals, for about two hours. Captain Kerr, Lieutenant Grayson, and other officers of volunteers and regulars, were frequently out and employed in firing at the enemy across the river.

But, since the Court has been pleased so far to tolerate General Scott's accusations, in reference to a sortie, as to make it the subject of special interrogatories to several of the witnesses, I have been disposed, so far from attempting to throw any impediment in the way of a full and free inquiry into all the bearings and probable tendencies of *sorties* or *sallies*, to extend the inquiry still further than my position at Camp Izard, as will be seen by my interrogatories to General Smith, the accomplished commander of the Louisiana volunteers, to Captain Drane, a most efficient and experienced officer, and Lieutenant Mitchell, a young officer of great promise, with their answers. By the testimony of these very respectable witnesses, called before this Court by my accuser, it will be seen how far General Scott himself carried out, in *honest matter-of-fact practice*, the theories with which he had been attempting to edify the War Department and the newspaper press of our country upon the subject of *sorties*.

Mr. President: The testimony of the witnesses last mentioned proves clearly that General Scott's practice was not in accordance with

his theories. Sir, that officer, with over 2,000 men, as gallant troops as either of us ever commanded, and an outfit sufficient for at least fifteen days' good service, hurried across the Withlacoochee, and thence to Tampa bay, without devoting more than one day to what any officer acquainted with his duty would have deemed the great and leading object of the campaign, namely, an examination of the *Big Cove swamp*. Captain Drane testifies that that swamp, from 15 to 20 miles in width, was penetrated by a part of the force under General Scott but two and a half miles! General Smith estimates the distance at four and a half miles. My accuser, who had written so eloquently to *nullify* every measure of mine at the Withlacoochee, and to prove that the Indians could not have been *beaten* without a *sortie*, and that they could not be *sincere in suing for peace* without a *sortie*—this same general devoted but one day to the great duty of "*searching for the Indians*" where he could have had any reasonable ground to calculate on "*finding them*." He could not find them because he would not take time to search for them in the cove swamp, where, it is in proof upon your record, they have been residing, with their families, for the most part of the time since the 6th of March, the day on which they sued for peace. The Big Cove swamp, 15 to 20 miles in width, and near 60 miles in circumference, was penetrated along a large path (exhibiting evidence of recent footsteps of the Indians, adults and children) but four and a half miles. The dismal aspect of that swamp probably contributed to give to my accuser the first really impressive lesson he had ever received upon the intrinsic difficulties attending an Indian war in Florida. The testimony is silent upon the subject of what he wrote or what he said or thought at that swamp, in reference to the propriety of making sorties. It is probable, however, that he said nothing upon the subject, as it is proven by Lieutenant Mitchell that arrangements were made to establish a post near the swamp, which was left under the command of Major Cooper, with a battalion of volunteers; whereupon the general, with the residue of the right wing of his grand army, marched forthwith to Fort Brooke, Tampa bay, as the witness believes, in order to obtain a supply of subsistence. "Hard bread and bacon," it would seem, and not sorties or Indian warriors, then occupied the thoughts of the new commander. My accuser, on his arrival at the Big Cove swamp, found himself in a dilemma. My simple plan of operations, communicated to General Clinch, and by him to my accuser, General Scott, was condemned by the last-mentioned general, who, on his arrival near the Big Cove swamp, found that he would be compelled to act in accordance with my plan, or to act not at all. My plan, the Court will recollect, was "*to search for the enemy until we should find them; and then beat them, or they would beat us.*"

The new general could not reconcile it to his views of propriety, after saying all manner of evil things against me, to condescend *to search for the enemy*, as my plan had suggested. The Big Swamp was accordingly left without being disturbed by "*a sortie*," "*a sally*," "*a drive*," or "*a drag*." This rough work could not have been accomplished without some considerable labor and difficulty; whereas but very little was necessary for General Scott to write a letter or two asserting that the Indians were not in that swamp; that 500 warriors had not been within any space of ten miles square since the commencement of the war; and that they had been frightened off to the Everglades by the accounts which,

after they had sued for peace, I authorized Captain Hitchcock, my acting inspector general, to give them of the great forces expected soon to be in the country against them. It was easier, *while reclining in the shade of a Florida ever-green magnolia*, to make these random assertions, (whether true or false is for the Court to decide,) than to devote a few days time, with the consequent labor and privation of food and rest that must have attended a vigorous search throughout the swamp, than by such a search to give a practical illustration of the theory of *sorties* or *sallies*, so adroitly discussed by my accuser in his *sortie*-letter of the 14th of March, and other productions of equal candor; but one of which remains to be noticed by me. I allude to the notorious *sortie* "Order No.—," of 1836, based upon a nefarious scheme got up by my accuser, in order to enable him to divert public attention from himself, by striking at me over the shoulders of Major Gates, and thus to keep up the hue-and-cry of *sortie! sortie!* upon the same principle that a *pick-pocket*, when amidst the crowd he filches from an unguarded stranger his purse, immediately raises the cry of *stop thief! stop thief!* and thus diverts public attention from himself, the actual offender.

I am aware, Mr. President, how exceedingly improper this view of the subject would be, if it had not truth and reason to sustain it. The evidence is before you. It is for me to perform the disgusting duty of applying the testimony, furnished by my accuser himself, to enable you to do justice to him. It is for me to vindicate my own conduct, and, in doing so, to correct the vagrant and profligate pretensions of a great public offender.

In desiring your attention to the order in the case of Major Gates, I take leave to precede my remarks by a paper, which is a copy of the rough-draught of a letter which I prepared on the 20th of July last, the morning after receiving the order in question. This paper contains my views at that time. My views remain unchanged. After writing the letter, however, I determined, on reflection, that I would not send it until time and opportunity should be given to enable the Secretary himself to correct, unsolicited by me, an irregularity which I was willing to attribute to the haste and hurry of business which I was aware had often, in the War Department, led honorable men into error and apparent irregularity, at or near the close of a long and arduous session of Congress. I therefore retained my letter to the President until the receipt of "Order No. 65" apprized me of the propriety of submitting it through this honorable Court. [See Document No. 45.]

I have said that *I could not, without the palpable violation of a fundamental principle of military law, abandon the expedition until I should meet with the officer authorized to relieve or succeed me, unless expressly required by the President of the United States so to do, or the receipt of his order to that effect.*

Where, I may be asked by those who know no law but that which their own prejudices and passions enact—where is this great fundamental principle of military law to be found? I answer, that it is incorporated in the constitution and laws of the United States, and in the constitution and laws of all the sovereign States of this great and growing confederacy. It will be found inscribed upon the *heart* and seen in the *mind's eye* of every free white man of the American Union, who feels and who knows how to appreciate his equal share of that sovereignty which gives him

the inestimable right of self-government, with the inseparable, the kindred right of self-defence.

We learn from our *Federal* as well as from our State constitutions, that the primary object of the people in the adoption of each was to provide for "*the common defence*" and "*general welfare*;" to *suppress insurrection* and *repel invasion*, and thus to afford *protection* to the defenceless; to keep the peace. For this purpose the President of the United States is expressly authorized to *command* the national forces, land and naval; and the Governors of States are in like manner authorized to *command* the forces of their States respectively. The President has a full and perfect right not only to command throughout every part of the United States, and their Territories, from the Atlantic to the Pacific, but also upon the high seas throughout the world, wherever any part of the land or naval forces may be, on duty or otherwise.

My command extended to every section of the western department wherever any part of the forces assigned to me happened to be, and more especially to the whole of the Southern and Western frontier. Authority is given to Congress to *declare war*, and support an army, to serve under the authority of the President; and, being myself honored with a high commission in that army, and ordered by the President to *command* the western department, my right to employ the forces placed under me against a known savage foe at war with the frontier citizens, and troops of my department, to "*repel invasion*," was as full and perfect a right as the President and the Congress of the United States could give me. He had ordered me to *command* the western department. This was sufficient to authorize me, on the sudden approach of war, to go withersoever I deemed necessary to protect the people of that department "against their enemies and opposers whomsoever," as my official oath required me to do; and to see *where* and *how* I could do the enemy the greatest harm, and my country the greatest good, with the means at my disposal, keeping myself always within the pale of our institutions and of the laws of war.

From my letter to the Adjutant General, dated at New Orleans, January 15, 1836, it will be seen that I there suggest the propriety of immediate measures for the arrest or destruction of the enemy, before the dry weather of winter should pass away, and the rains of spring and summer cover the swamps and flats with water; and, for this purpose, I suggest the propriety of ordering the 6th, with parts of the 1st and 7th regiments of infantry, and urged the employment of an army of not less than *four thousand men*, to be aided by a strong naval force.

By a letter from General Scott to the Adjutant General, dated at Augusta, Georgia, January 31, 1836, it will be seen that that officer urges the propriety of an army of five thousand men, aided by a naval force, being employed against the enemy.

In my letter to General Clinch, dated at New Orleans, the 2d of February, 1836, (a copy of which was forwarded to the Adjutant General,) I announce my intention to embark on the following day on board certain steamboats with a regiment of Louisiana volunteers, and some companies of the 4th United States infantry, for Tampa bay; making an *irrevocable pledge* to co-operate with General Clinch in bringing the war to a speedy close. In a letter from General Scott to the Adjutant General, written on the — of February, that officer expresses a hope that the 4th infantry

will be ordered from New Orleans to Tampa bay. And, in a letter written on the 2d of February, also to the Adjutant General, General Scott mentions the receipt of a report that Colonel Twiggs had embarked with a volunteer and regular force at New Orleans for Tampa bay, and expresses a hope that this force will enable Colonel Lindsay to act *independently* in a direction from Tampa bay towards Fort King, on precisely the same route upon which my movement was made between the 13th and the 22d of February.

Mr. President, it will be seen by an inspection of these four letters that they were written by myself and General Scott without either of us having any knowledge of the views of the other, and that our views and wishes, accorded in our letters written near about the same time, whilst six or eight hundred miles apart, were, for the most part, in strict accordance—so far, at least, as regarded the forces from New Orleans, and the movement from Tampa bay to Fort King; and variant only in this, that my estimate of the requisite force to terminate the war was four thousand men, whilst that of General Scott was five thousand men. And my plan was to co-operate with General Clinch, or the officer commanding in East Florida; to search for the enemy until I should find them, and then, if possible, subdue them, and thus protect the frontier inhabitants: whereas General Scott's plan was to surround and pen up the enemy near the frontier—a plan which I could not approve, because it was wholly impracticable without an army of ten thousand men, principally mounted; and, even with that force, the Indians could not be hemmed in upon the frontier of Florida without endangering the lives of most of the remaining inhabitants, for whose protection our troops were employed as a primary duty. It was not my purpose, however, to interfere with General Scott's plan of operations. I intended simply to command, as appeared to me proper, until I should meet with that officer, and then co-operate with him; or, if he preferred it, turn over to him the troops with me, according to the notification received by me at Pensacola from the Adjutant General of the army. Nothing, therefore, appeared to disturb the harmony in which that officer was approaching the theatre of active operations until he learned that I was at the head of the forces from the West. The patriot spirit of harmonious co-operation seems then all at once to have abandoned that general, leaving him a prey to the furies of anarchy and discord. He immediately reports his plans thwarted by my movement, notwithstanding he had so recently expressed his satisfaction at the prospect of a similar movement on the part of another officer. He immediately set about a scheme to arrest the movement of the supplies ordered for my department, *before he had any thing to do with the affairs of the war in East Florida.*

Let I should be deemed unjust to the general, I will, in due time, employ his own words to explain his object in arresting and withholding from me the subsistence destined for my command.

Mr. President, I have passed in review a point in my vindication fraught with intense interest, not merely to myself and my faithful officers and men, but to you and to every member of the army confided to your command; and more especially to every citizen-soldier throughout America, whose duty it is, and in all future time will be, to enjoy the inestimable right of participating in the national defence; a point upon which you are solemnly bound to state facts as you find them established

by evidence, and to give an opinion which cannot but contribute, as far as you have power, to relieve the army and the republic of a high military offender, who, in the hope of inflicting a wound on the reputation of his senior, and supposed rival, had the childish audacity to withhold, not only from that senior, but from the patriotic troops who accompanied and nobly sustained him in action at the Withlacoochee, *public supplies*, essential to their existence—supplies ordered to be conveyed to the troops of my department before that officer was ordered thither; and he had the hardihood, also, to direct General Clinch not to afford me any of the supplies which I had required from him at Fort Drane—a post within the limits of my department, and which General Scott had not seen fit to approach nearer than Picolata, a distance of sixty miles within the settlement near St. Augustine, and from ninety to a hundred miles from the theatre of the war; intending thereby not to sustain me himself, and, as far as he possibly could, to prevent the troops of my own department from sustaining me, in the position which I had taken against the enemy at the Withlacoochee, but, by cutting off my necessary supplies, *to starve my troops out of that position!*—a position which I could not abandon without suffering the principal force of the enemy (which I there held in check) to fall upon hundreds of helpless families—evils which must have followed, had not the chivalry of my troops triumphed over the enemy, and forced him to sue for peace. In doing so, they achieved at once a triple victory: a victory over their wants of regular supplies, a victory over a savage foe, and a victory over the atrocious machinations of the second United States general officer who has ever dared to aid and assist the open enemy of the republic in their operations against United States forces employed in the protection of the frontier people. The first great offender was Major General Benedict Arnold; the second, as your finding must show, is Major General Winfield Scott.

“ Question by General Gaines to Colonel Twiggs. Colonel Twiggs is requested to state what he knows on the subject of making a sortie at or from Camp Izard, in February and March, 1836 ?

“ Answer. I received an order on the 29th of February, after the Indians had retired from making an attack on us, to hold the command in readiness for a sortie. After the 29th, in a conversation with General Gaines, I think he stated to me he had written to the officer in command at Fort Drane, and he expected him down with some mounted troops; that, as soon as they made their appearance, the command was to leave the breast-work to attack the Indians. I think he stated to me that he had so written, that he would not make the sortie until the troops should come down. I had frequent conversations with the general on this subject; and he stated to me his views that we could do no good by going out; that the Indians would fly before us, and that, as soon as any troops made their appearance, we should go out and attack the Indians. It was expected that troops would arrive from the direction of Tampa bay, on the opposite side of the river. This was before the 5th of March.

“ Question by the Court. What is your own opinion as to the propriety of making a sortie from Camp Izard whilst invested by the enemy ?”

The witness begged leave to decline answering the question, and was excused by the Court.

“ Question by General Gaines. Colonel Twiggs is desired to state whether or not it was his opinion, at any time between the 27th of February and 6th of March, that the enemy could have been subdued by making a sortie, or whether it would not have contributed only to disperse the Indians? And state whether the Indians could not have concealed themselves in a thick hammock, at any moment, in three or four minutes' time; and state whatever opinion he entertained on the subject at the time, and whether he communicated to General Gaines such opinion.

“ Answer to the first part of the question. From the 27th to the 28th, and including the 28th, the Indians were on the opposite side of the river, and we had not boats to cross the river. From the 29th of February to the 5th of March, we could, at any time the Indians made their appearance, have driven them, but we had not the means to follow them. I cannot say whether we should have dispersed them or not. As our camp fronted the river, there was an extensive hammock and scrub on the left. There was a hammock, also, on the right—both of them two or three hundred yards of the camp, or probably a shorter distance; and the Indians could have taken shelter in either of those hammocks in a few minutes. I never gave General Gaines, while at Camp Izard, any opinion as to the propriety of a sortie.

“ Question by General Gaines. Colonel Twiggs is requested to state whether any officers, and, if any, who, of the light brigade, at Camp Izard, in February and March, 1836, expressed the opinion that a sortie ought to have been made?

“ Answer. Not one, while I was there, expressed such an opinion. I had, and, as far as I could learn from the opinion of the command generally, they also had entire confidence in General Gaines, and we were willing to submit to his judgment.”

“ Question by General Gaines to General Smith. General Smith is requested to state his opinion as to the mode of fighting the Indians at Camp Izard, between the 28th of February and 5th of March, 1836, inclusively, taking into consideration all the circumstances attending the service there; and particularly whether, in his opinion, a sortie would have been attended with advantages.

“ Answer. I believe that the only mode of fighting Indians is to wound or kill individual warriors; but that simply to attempt to disperse them would produce no great benefit. Therefore, if the Indians occupy a position which we desire to occupy ourselves, we must certainly attack and drive them; but, under other circumstances, whatever method offers the greatest facilities of wounding or killing them, is the best method of fighting them. The position General Gaines occupied at Camp Izard, at the period mentioned, was one that he was desirous of maintaining, and I therefore think that he was likely to do more injury to the Indians in repulsing their advance on his position, than he would do in quitting it to follow them through the woods. It is impossible for a soldier on foot, in that country, to overtake an Indian. The Indian could, at the first attack, withdraw himself from the fire; and the position of the hammocks in the neighborhood offered them a retreat in which they could hide themselves immediately. I believe that, as in attacks on positions, fortified or not, the loss is always greater on the attacking party than in any other kind of combat; where the object is to destroy the life of the enemy, that species

of combat offers more advantages than any other. The battle of New Orleans, the attack on Sandusky, and, in fact, all the attacks which were repelled during the last war, are evidences of this. On the 29th of February, when, I think, the largest body of the Indians appeared, I think it likely that fewer of our men would have suffered if we had made a sortie, but far fewer of the enemy would have fallen. The defences that were afterwards made of the camp were hardly then begun, and especially the whole interior of the camp was entirely exposed. General Gaines himself, who was sitting near the centre of the camp, received a wound in his mouth. I therefore think that, under all the circumstances, there was a greater injury inflicted on the enemy, as they approached the camp through the open ground around it, than if the troops had gone out and followed them through the woods. I would remark, however, that the whole of the troops were not in the camp—two companies of the Louisiana regiment were posted down on the river, and a part of them were drawn in afterwards to cover a part of the line.

“Question by General Gaines to Colonel Twiggs. What was your opinion of the sincerity of the Indians in their proposition for peace at Camp Izard, the 6th of March last? and please state what motive, if any, the Indians could have had for treachery; and, finally, have you heard any observations on the subject from Indian countrymen or other persons acquainted with the Indian character, calculated to strengthen or destroy your opinion?

“Answer. The first night (the night of the 5th) when the Indians came and hailed the camp, I did not believe them sincere, or that they had any intention of coming in at all. The next morning I went to General Gaines, and told him, ‘whenever you show me men coming from the moon, I will believe the Indians are coming in.’ Before we separated, some person standing near spoke and said, ‘here the Indians come.’ In a short time, having halted some distance from the breastwork, one or two of them came forward with a white flag; one of the volunteer officers (I think Adjutant Barrow) went out and met them. When I saw them conversing with Mr. Barrow, I then changed my opinion, and believed they were in earnest. I have thought a good deal on the subject, and I could think of no motive for their being otherwise than sincere. I judged they were sincere from what I had seen of the upper part of the Creek nation on previous occasions. It was at the Hickory-ground, with General Jackson, I think in 1814; after the first Indian came in there, I never heard of another act of hostility on the part of the nation towards the whites. The next occasion was on the Seminole campaign with General Jackson. I know that, after the first Indian came in, there was no act of hostility; I know this, for I was left in the country. I had a conversation with Colonel Dill, at Jacksonville, who has been a long time in that country. After detailing the circumstances to him as they happened at Fort Izard, he said he had not a doubt but that they were sincere in their wish for peace; so much so, that he advised the people to go back again on the plantations—(on the road from Micanopy to Fort Drane.)

“Question by General Gaines to General Smith. What is the opinion of General Smith upon the motives of the Indians in seeking an interview, and expressing a desire for peace at the Withlacoochee? And state how far the Indians manifested a desire for peace by their conduct

previous to the hostile movement of the troops from Fort Drane, the 26th of March, under the orders of General Scott.

“Answer. I think I feel assured that the Indians were perfectly sincere in seeking a peace. I do not know on what terms they may have wished it, but I believe that they desired a peace. A great many reasons operate on my mind to produce this conviction; the first was, that, on the night of the 29th, after the Indians had retired across the river, I heard some one—a peculiar voice, the tone of which I judged to be Powell’s—making an address to his followers, apparently. The friendly Indians and their interpreter lay close by me. I called to them, through the interpreter, and desired the Indians to listen and try if they could catch any of the expressions. When the speech was done, the Indians said to me, through the interpreter, that it was an address of the chief, intended to encourage them; that he told them that no matter if they had suffered on our side of the river, that when we attempted to cross they would then have the advantage; and he suggested to me that it was apparent from that, that a portion of the Indians were dissatisfied; that the Indians did not appear the next day, nor until the evening of the second day, when a few shots were fired out of one of the hammocks on the river, nor did there ever seem to be one-fourth of the number of Indians on our side of the river that appeared on the 29th. On the evening when the first offer to treat was made, a voice of a negro hailed the camp in English; he called out that the Indians were tired of fighting, and desired to come in and make friends. He was answered, by direction of General Gaines, that if the chiefs sent in a flag the next day, it would be respected. They held a talk the next day with the officer sent by General Gaines, precisely as they were directed to do. From all these circumstances, it suggested itself to me that there was a large portion of the Indians who were averse to continuing the war—so large that the hostile party was obliged to conform to their desires; that they had nothing to gain, under any view of the subject, by delay; that they were then as well prepared to carry on the war, and better than they would be at any subsequent period; whereas they must have expected that the whites would increase in force every day; that if the object was to gain time in order to escape, they could always have done that, as they could always out-march us; and that in fact they did not make use of it for that purpose, for Primus, who was sent to them afterwards, must have found them in the upper part of the cove or in the Wahoo swamp. From the time the Indians held a talk with General Gaines, there was not the slightest hostile movement on their part; and our men were fishing and bathing in the river every day by hundreds while we staid there, and as there was a thick swamp on the other side in the vicinity where they were bathing, the Indians might at any moment have shot down two hundred men with perfect security to themselves. We encamped about four to five miles from Fort Drane, between Fort Drane and the Withlacoochee, and small parties were constantly passing, and often single individuals, between the different encampments and Fort Drane, and were scattered over the whole woods for ten miles round, and I never heard of a sign of an Indian. The first that was heard of or met with after this period, was on the evening of the day General Scott commenced his march to the Withlacoochee, when a wag-

oner, belonging to the General's train, and who was left behind in the road, was shot by the Indians.*

“Question by the Court to Captain Hitchcock. Do you believe the Indians were sincere in proposing a truce?

“Answer. I believe they were perfectly sincere. I will remark, in reference to this question, that there was nothing in the manner or matter of the interview which I had with the Indians on the Withlacoochee to give me the smallest suspicion of their sincerity. There seemed to be a peculiar sadness over them, as if thoughtful of the misfortunes of their tribe, indicating that further hostility on their part was hopeless. I thought them sincere, and in that opinion all who were present entirely concurred with me, and I am the more inclined to continue in that belief from several considerations. Although wars among Indian tribes are sometimes of very long duration, it is seldom that active warlike movements among them continue for any great length of time. With tribes at war, there may be years of cessation of the war; and when a war-party, as it is called, is got up, with considerable formality, with a feast and war-dance, and the party will make what they call a strike at the enemy, return from the expedition and celebrate their success, if successful, with the scalp-dance; but this kind of war cannot be carried on against the whites. To carry on war against the whites the Indians are compelled to embody themselves in large numbers, making it difficult for them to obtain supplies of ammunition, provisions, or clothing. In Florida, the enemy had, I believe, been so embodied for some length of time; they had had, I believe, some special causes for the war, which had in part been removed, especially by the conduct of Ocoola, near Fort King; and I believe his language to me in council, that ‘he was satisfied,’ had reference to that conduct. I have heard of other similar instances. The Indians had been successful in the destruction of Major Dade’s command, and they had killed many more than they had lost. General Gaines having taken a position in their neighborhood, which they had found it impossible to move, they must have seen that they could not in future have procured from above the supply of provisions, consisting of cattle, which they had before drawn from thence. The opinion among them that this position was likely to be permanently held was calculated to break down their spirits. I have never doubted that the Indians were informed of the movement of General Clinch from Fort Drane on the 5th March. I believe that the Indians, in the knowledge of this, saw additional reason to suppose that they could not maintain themselves in the country, and that, taking council on the evening of the 5th, they had concluded to make overtures of peace; and I have always believed they would have accepted terms such as would have been worthy of this great nation to dictate to them, had there been authority there to conclude a peace. There was not, in the council I held with the Indians, any thing said about the terms of peace; they made no proposition to settle limits; they asked for nothing, stipulated for nothing, beyond what I have stated in my testimony. They were told by me that they should be sent for to council; but that, in the mean time, they must

* *Note by Major General Gaines.*—It seems evident, from the testimony of General Smith, that General Scott himself confided in the sincerity of the Indians in suing for peace, inasmuch as he suffered these small parties to pass and repass round about Fort Drane for several miles without a guard.

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abstain from war, and promise to attend the council when sent for. They engaged to all that freely, and with apparent alacrity. During the time that the troops remained at Fort Drane after that—to wit, from the 11th to 26th March, as I have understood, and believe—there was no sign of any hostility of the Indians in that part of the country; they had abundant opportunities to annoy the troops at that post, which were scattered over an extent of country of several miles in diameter, accommodating themselves with wood and water. Even before I left there, and as I have heard afterwards, the officers and men were passing at pleasure between the several corps of the army thus dispersed, and provisions were sent to these several corps without once being disturbed. General Gaines and his staff, a party of four, during that time, travelled from Fort Drane to Tallahassee, through a country that had been before and was afterwards in possession of the Indians, without molestation and without suspicion of danger so far as I know. I have always believed that the Indians had a right to suppose that no further hostile demonstrations would be made against them until they should have been sent for and heard in council. When the hostile movements took place from Fort Drane, about the 26th March, the rear was fired upon by the Indians, and I have understood a baggage-wagon, or perhaps two, cut off. I have regarded this as an evidence that the Indians were fully informed of the exposed condition of the several corps around Fort Drane, but that so long as they could hope to be sent for to council they abstained from annoying those troops, in compliance with their engagement on the Withlacoochee river.”

Some days after giving the above testimony, Captain Hitchcock presented himself before the Court, and asked permission to add to his testimony the following, as continuation of his answer to the 15th question by the Court. (The 15th question is that to which the above is an answer.)

“*Captain Hitchcock in reference to the 15th question by the Court.* I will state to the Court that yesterday, on referring to some official documents from Tampa bay, I saw it stated that General Gaines had an escort from Fort Drane to Tallahassee; that statement is not correct, but I presume it was founded upon this: that Major McLemore was about to proceed from Fort Drane, in the direction of Tallahassee, with a mounted troop; that he tendered to General Gaines, unsolicited, as I believe, on the part of General Gaines, a small detachment of his troop as an escort. This detachment remained a day, or perhaps a day and a half, and commenced its march as an escort to General Gaines; but General Gaines, after the first day’s ride, dismissed the escort—halting himself, permitting the escort to leave him, and moved on afterwards without it. I did not refer to this in my testimony, because the escort was entirely unsolicited, I believe not even desired. Major McLemore’s troop was returning to their homes at the time—they were not detached as an escort.*

“*Question by General Gaines to Colonel Twiggs.* Colonel Twiggs is requested to state whether he met a wagon-train, about the middle of

* *Note by Major General Gaines.*—I desired no escort. The discharged men, or those permitted to go to Middle Florida, here referred to, travelled with me the principal part of the first day’s journey, the 14th March, and until breakfast time, about 9 A. M., on the morning of the 15th March, when I halted and desired them to go on without me. They never travelled with me another mile.

March last, between Fort Drane and Black creek ; and if so, whether the wagons were or were not accompanied with a guard ?

Answer. I left Micanopy, ten miles on this side of Fort Drane, on the 19th of March last. On that day I met the wagon-train with provisions, about twenty miles from Black creek. I inquired of the person having charge of the wagon-train (called the wagon-master) where the escort was ? he said he had none, and I did not see any guard with it at all.*

Question by General Gaines to Colonel Twiggs. Be pleased to state whether the Louisiana volunteers were or were not ready or willing to march at any time after the middle of March, 1836. And what were your reasons for the opinion which you entertain in this case ?

Answer. I have no doubt but the Louisiana volunteers, had they been ordered, would have marched the next day after their arrival from the Withlacoochee, near to Fort Drane. I had a conversation with General Smith on this subject, and his opinion and mine coincided, that both our commands, the regulars and volunteers, were ready to march, and that we should not ask to detain the army on their account.†

Question by General Gaines to General Smith. General Smith is requested to state in what manner the movement of General Gaines affected the movements of General Scott in Florida ?

Answer. My impression has always been, that every effort that General Scott could make to advance his movement was made by him ; but such were the difficulties in obtaining the means of transportation, that I do not think he could have been able to commence his movement earlier than he did ; that therefore no operation of General Gaines delayed General Scott's movements, and that General Scott would not have been ready sooner or later, whether General Gaines was there or not. General Gaines brought from New Orleans with him some means of transportation. He added to General Scott's forces at Fort Drane about 1,000 effective men. He had acquired some knowledge of the country around the Withlacoochee. His position on the Withlacoochee had restrained the Indians during the time General Scott was occupied in transporting provisions to Fort Drane ; and that therefore, in these respects, General Gaines's movement was of great advantage to the movements of General Scott. I might add that, after all, the means of transportation were not sufficient to allow General Scott to operate along the North Withlacoochee, and that therefore he was not able to derive all those advantages which he otherwise would have derived.

Question by the Court to Captain Hitchcock. Were there any sorties made from the fort upon the enemy on any one of the attacks made by him whilst the army lay there ; and what was the strength of the army at the time ?

Answer. The army was about 1,000 strong—a few over, perhaps—

* *Note by E. P. Gaines.*—By this testimony it is obvious that General Scott confided in the sincerity of the enemy in their having been subdued, and in their having sued for peace. Otherwise, he certainly would not have suffered the baggage-train to have passed and repassed so near the enemy without a guard.

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† *Note by Major General Gaines.*—And yet, notwithstanding this fact must have been known to Major General Scott, he persisted in saying that his delay was necessary to enable these troops to rest and refresh themselves.

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and no sortie was made. It may be proper to add to this answer, that one wing of each of the several bodies occupying the faces of the square had been ordered by General Gaines to be held in readiness for a sortie, should he think proper to order one. This order was given on the afternoon of the 29th February.

“ Question by the Court. Was the army on the Withlacoochee under General Gaines strong enough, and well enough appointed, to have attacked the enemy with a prospect of success ?

“ Answer. In my opinion the army could have beaten the enemy at that place, and driven him at any time ; but there were not means for pursuing him with any effect.

“ Question by the Court. Do you think that Major General Gaines had it in his power at any time, with the means in his hands, and the appointment of his forces, to have marched upon the enemy and subdued him, had the enemy availed himself of the fastnesses of the country well known to him ?

“ Answer. I believe they would have escaped any pursuit he might have made with his force. With regard to the effect of a sortie, it is a problem on which perhaps any one may form an opinion, from a consideration of the facts which I will state. The Indians appeared to have a great facility in crossing the river ; the banks of the river, above and below our camp, were lined with a dense swamp. Had a sortie been made, the Indians would have rushed into this swamp on one side or the other, and, by their knowledge of the best passages through it, and their facility in crossing the river, would, in all probability, have eluded any pursuit that could have been made from our camp. In the event of a sortie there would, in all probability, have been a loss on both sides ; but, it is my impression, without producing any beneficial results. The Indians were expending their ammunition, while our fire was reserved, and we were daily in the expectation of force from Fort Drane, especially of mounted men—a species of force of which we had none.

“ Question by the Court. While you were in the fortified camp on the Withlacoochee, was there any preparation made for a sortie by order of General Gaines ? if so, state the force or corps, and the officer appointed to the command of the troops ordered for that purpose.

“ Answer. The troops in the camp were disposed in the form of a square ; the order was, for one wing of each face of the square to be held in readiness for a sortie, directions being given for the other wing to extend. Colonel Foster would have been one of the officers on the right ; I believe General Smith himself would have commanded the sortie on the left. I am not able at this time to give the names of the other officers. The order was given on the 29th February, in the afternoon, communicated by myself to Colonel Twiggs, commanding the light brigade. A previous order on the subject had, I believe, been communicated by some other officer. It is my opinion that, had the attack been renewed in character like that of the morning of the 29th, a sortie would have been made ; but, after that attack, there was no serious attack made while we were on the Withlacoochee. There were but small parties engaged from time to time in endeavors to annoy us. This circumstance was itself a source of alarm, lest the Indians had abandoned that part of the country, to the disappointment of the hopes of General Scott, expressed in a letter to General Clinch, and which had been seen at Fort

King. The first order for the preparations for a sortie was, I believe, given, not through myself, but through some other officer. Colonel Foster came to me and made a suggestion as to mere detail, desiring me to communicate it to General Gaines. I did so, and received his orders thereon, which were communicated as above stated. General Gaines, on several occasions, spoke of the probability of an arrival of troops other than those expected from Fort Drane, especially speaking of Colonel Lindsay, who was supposed to have arrived at Tampa bay, and declared it to be his purpose instantly to move in any direction from which reports of firing might be heard. Log canoes were constructed, and were then in the camp, with rived boards to be used for purposes of making platforms on the canoes, to cross the river; the General saying that he would cross the river instantly on hearing a gun from the other side.

“ Question by General Gaines. The witness is requested to describe the hammocks near my encampment on the Withlacoochee, and state the time at which that encampment was fortified.

“ Answer. The hammocks bordering the river very nearly united immediately in front of the camp; from this point, both above and below, they gained very rapidly in width, and were extremely dense, especially to the east or above the camp, where the hammock extends considerably back from the stream, but at a distance of several hundred yards from the camp. The river itself has not the bend, as represented in the map I hold, (marked,) the curve being much larger. A light breastwork was made around the camp on the afternoon of the 28th of February, according to custom.

“ Question by the Court to Captain McCall. No sortie was made on the enemy at the several attacks made on the camp. What were the reasons which withheld or prevented such a movement on the part of General Gaines?

“ Answer. He did not explain to me particularly his reasons, but my impression was that it would not have resulted in any important advantage.

“ Question by the Court. Did no officer during the siege urge the propriety of making a sortie?

“ Answer. I did not myself hear any officer, and my impression at the time was that there was no officer there who differed with the General on that point.

“ Question by the Court to Captain McCall. What is your opinion of the ability of the forces under General Gaines to drive and beat the enemy, if a sortie had been made?

“ Answer. I have not the smallest doubt that they would have been able to do it, but from the nature of the ground; the hammocks which bordered the river being thick and extremely difficult of access to the troops, would have enabled the Indians lying concealed to deliver their fire, and then, owing to their superior celerity and knowledge of the ground, to have passed through the hammock and crossed the river before the troops could have come up with them—their facilities for crossing the river being great, and the troops without the means of following them.

“ Question by General Gaines. What part of the force was out of the limits of my breastwork, during the action of the 29th February; and

state whether one or two companies were not often engaged in firing at the enemy across the river, prior to the 6th March ?

" *Answer.* There was one company out of the limits of the breastwork on the 29th February. Several companies were engaged in firing at the enemy across the river, prior to the 6th March.

" *Question by General Gaines.* Was it General Gaines's intention to make a *sortie*, in the event of his hearing General Clinch's or Colonel Lindsay's guns ?

" *Answer.* General Gaines remarked several times, while lying at Camp Izard, that he should not be surprised at hearing Colonel Lindsay's guns on the other side ; and in that event he would cross immediately and march to his aid ; or should the Indians engage Clinch on his advance, he would immediately march out and support him."

Mr. President, and gentlemen of the Court : In desiring your attention to the evidence which I have adduced to disprove the accusations against me, it becomes my duty expressly to protest against that mass of papers which have been referred to as *documentary evidence*, consisting of the *official reports, letters, and orders*, of Major General Scott. This monstrous mass of words, recklessly jumbled together, *no matter by whom they have been endorsed*, embraces not a word of *legal evidence* which the Court can, upon their oath, bring to bear *against me*, or against any man in existence, save and except the fabricator of those *reports, orders, and letters*. That it is your duty to bring them to bear *against him* is obvious ; but against me they can have no legal bearing whatever : not merely because they are palpably *untrue*, but also because they constitute nothing of the character of *legal evidence*, as against any other than the writer of such *reports, letters, or orders*.

" *Truth is the basis of all excellence.*" And I have shown, I have demonstrated, by the testimony of officers of the first character and standing in the army and Louisiana volunteers, that General Scott's statements in reference to me and my movements are in many respects *false and malicious*. Look, for example, at what he has said in his letter of the 14th March, in which he endeavors to show the necessity of my having made a *sortie*, and to disprove the facts stated in my "Order No. 7," of the 9th of March, that I had beaten the enemy and forced them to sue for peace. Sir, what is there in this letter that can possibly be found to embrace any of the elements of legal testimony against me ? Let us suppose, for the sake of illustration, (what the testimony of General Smith, Colonel Twiggs, Captain Hitchcock, Captain McCall, Lieutenant Mitchell, Mr. Potter, and other witnesses, will go far to disprove,) that General Scott was truly and sincerely of the opinion that his statements contained in that *sortie-letter* were correct : then, sir, by what authority can the Court employ against me the mere opinion of Major General Scott ?

Even if he had ever won a battle at the head of a division, or in the command of an army, or any other force, beyond the immediate authority of his senior and superior officer—an honor which he never enjoyed—he would not, in the event of his having achieved such an honor, have been able to give to his reports, letters, or orders, any of the essential properties of *evidence* against any man but himself ; but he never achieved any thing in battle at the head of a division or other independent force.

The opinions of experienced men are often very properly received by

courts, both civil and military, in order to elucidate facts based upon legal evidence; but the opinions of *interested witnesses* are of no validity otherwise than as against themselves. Need I tell the Court, what General Scott has so fully demonstrated, that he is so much altogether an *interested witness* in the case before you—the case of the United States, regarding the causes of the failure of certain campaigns against the Seminole Indians in 1836—that nothing but my arrest, trial, and condemnation, can possibly save that officer from being found guilty of high military offences.

The testimony of the officers last above named, that notwithstanding General Scott's extraordinary letter of the 14th of March, in which he endeavors to prove that the Indians *were not subdued*, and *that they did not sue for peace*, or that, if they did sue for peace, *they were not sincere*, most clearly proves that General Scott himself, at the moment of writing that letter, and for twelve days after that time, did in fact confide in the truth and sincerity of the Indians, as the testimony will demonstrate, inasmuch as he suffered wagons, small parties, and individuals, to pass and repass to and from the several encampments, from five to six miles round about Fort Drane, without a guard; although that section of the Florida frontier was within twelve hours' march of the Withlacoochee, where the principal force of the Seminole Indians were known to be encamped.

Besides the general evil inherent in all statements made in opposition to truth, there are peculiar evils in the representations of General Scott, arising out of the official sanction given to them by his signature, as the General specially authorized to command in the field, and also out of opinions founded upon them by the Executive head of these United States.

It has been suggested to me that the President of the United States, forming his opinions upon the official representations of General Scott, has expressed sentiments unfavorable to my conduct on the Withlacoochee. The fact of my going to Florida, in the execution of my duty, could not easily be misrepresented, and though arguments have been sought and pressed into the question to impugn my motives, they have failed to produce the effect intended, and my movement to Florida, under the extraordinary and peculiar circumstances of the case, has not in any manner been censured by that high public functionary; but my conduct, while in the country of the enemy, was less visible, comprised a large mass of facts, was pursued at a distance from all direct communication with Washington; and while I was in the heart of the country occupied by the enemy, in hearing of their war-whoop and rifle on the Withlacoochee, General Scott was snugly posted at the little quiet place called Picolata, within eighteen miles of the city of St. Augustine, making free use of his facilities for communicating with the Government, and writing the letters which I have deemed it proper to designate his *starving-letters* of the 1st and 4th of March; and then from the *little steamer, the Esayons*, on his way from Picolata, his *rescue-letter* of the 9th of March; and afterwards from Fort Drane, his *sortie-letter* of the 14th of March—all which were received with unsuspecting confidence at Washington, and upon which, false and slanderous as they were, my conduct was viewed by the Chief Magistrate with disapprobation. I look with confidence to the developments made before this Court, for enabling the President to do me justice, and relieve me before the army and my coun-

try from the odium which the publication by the War Department of these official slanders, and the suppression of all my correspondence upon the subject, reported for the information of that Department, was calculated to produce.

General Scott has said he is not my *prosecutor* nor my *accuser*; and yet, without the slightest pretension of self-defence, he has deliberately fabricated or endorsed the most calumnious accusations, which he only has not prosecuted, because an investigation, as he knew full well, would inevitably throw back upon himself the shafts poisoned by his own venom.

Among the duties assigned to this Court, it is required to investigate all subjects connected with the campaigns in Florida, and I now therefore solemnly call upon the Court to take that notice of the remarkable letters of General Scott, of the 1st, 4th, 9th, and 14th of March, which their extraordinary contents deserve.

Thanks to the Almighty, I have lived to enjoy the privilege guaranteed to every citizen and soldier of the republic, to vindicate my conduct, and to expose and demolish the weak and nefarious schemes contrived by my accuser, while in the use and abuse of a little brief authority, for my destruction; and thanks to the high public functionaries of our beloved country, for affording this privilege while I am yet in the land of the living, and in time to save my children and my military and volunteer friends, the deep affliction, and the abiding mortification, of finding, when I shall be no more, the uncorrected accusations which you have received from the Department of War, and which now lie before you.

That it was the duty of the head of that Department, as an act of natural equity and justice prescribed by law, (see the 77th and 79th Articles of War,) to have acted upon and notified me of these accusations the moment they were received by him, and to have assembled, as soon thereafter as the state of the service would permit, the proper tribunal for their investigation, there can be no ground to doubt. The omission of this obvious duty, and the placing me upon a most "delicate and important command," wherein I was honored with the Secretary's notification that the President of the United States had been pleased to approve my views and measures, ought, perhaps, to be considered as the strongest assurance that could be given me of unshaken confidence in my fidelity and honor, and, on the other hand, of the little reliance placed in my accuser. Perhaps, too, the honorable the Secretary of War was apprized, as I have been long apprized, of the fact that my accuser, never having learned how to govern himself, would, in due time, if allowed much latitude, *defeat himself*, in his overheated zeal to destroy me; for there is no principle in moral philosophy, natural law, or military science, better established, than that the officer who has not learned how to *command himself*, is wholly unqualified to *command freemen*, or American soldiers, volunteers or regulars, and will sooner or later, in his unbridled efforts to destroy his imagined rivals, destroy himself.

My accuser charges me with the crime of having contributed to prevent or retard the forwarding of subsistence and other supplies required in East Florida. This charge is disproved by the testimony of Captain Morrison, the late assistant commissary for the post of New Orleans, recently examined by this Court. That officer testifies that, on my return from Florida to New Orleans, I directed him to forward promptly all the

supplies that had been or might be required in Florida. The Captain's testimony upon this point is in the following words:

“ Question by General Gaines to Captain Morrison. General Scott having endeavored to show that a report of the war being ended caused a detention in New Orleans of supplies called for by requisitions for Florida, the witness is desired to state whether he was commissary in New Orleans from January to April, 1836, inclusive; whether any such detention took place with regard to commissary supplies; whether he had an opportunity of judging whether quartermasters' stores were detained, and whether they were so detained; and is requested to state whether he understood from the quartermaster, whether he would or would not feel authorized to detain supplies under the supposed circumstances of there being a report like that in question? And the witness will also please state what rations returned to New Orleans with the Louisiana volunteers from Tampa bay; whether a part was in bulk and by him issued to the volunteers; and whether he made any remarks to Captain Thistle on the subject of the bacon so returned, and what remarks he made?

“ Answer. I was assistant commissary at New Orleans from January to April, and had been for ten years as such. No detention took place in the furnishing of supplies; every exertion was used to procure hard bread and bacon, as required by General Scott. The bread and bacon could not be procured in sufficient quantities; the other part of the ration, consisting of pork and flour, was delivered to the quartermaster to make up the deficiencies. A duty which I owe to Major Clark, as he is not present, compels me to state that every exertion was made on his part to furnish supplies and transportation; we both felt a deep interest that nothing should be wanted. From the 7th to the 16th May, when the regiment of Louisiana volunteers returned to New Orleans from Florida, there was 720 pounds of bacon, 2,160 pounds of bread, surplus rations, which were sent to the commissary store at New Orleans, besides other rations in proportion. Captain Thistle came to me somewhere between 10th and 16th of May, with a return for back-rations: in offering Captain Thistle his choice of pork, bacon, flour, or hard bread, I observed that I regretted that the hard bread and bacon had come back, after the difficulty I had in sending it to Florida. As to Captain Thistle's asking me why I did not send the bacon and hard bread, I have no recollection of his having made such an observation to me, nor do I believe he did. No observation was made by me to Captain Thistle, that the Florida war was closed. [The witness here presented to the Court papers Nos. 39, 40, (see documents,) as evidence that he had discharged his duties promptly, and to the satisfaction of his department.]

“ Question by General Gaines. What conversation had the witness with General Gaines, in New Orleans, in April, on the subject of sending supplies to Florida, and what did General Gaines urge?

“ Answer. About the beginning of April I had understood that General Gaines had arrived in New Orleans, and was on my way to pay my respects to him, when I met Major Clark, who requested me to get a requisition from General Gaines, which he had left with the General the previous evening or the same morning. I found General Gaines at his quarters; he was unwell; and, after a little conversation, I asked him for the requisition left by Major Clark; he handed it to me, and observed, very impressively, “furnish every thing which you are ordered

to furnish." Commodore Dallas, of the navy, came in, and I withdrew. I did not ask General Gaines about the furnishing the supplies. His remarks were applied both to Major Clark and myself. [The witness produced paper No. 41, to show the quantity of certain supplies at Tampa bay on the 31st March, 1836."]

Upon this point, Major Clark, assistant quartermaster at New Orleans, with a promptness which does his heart and his sense of justice great honor, distinctly asserts, in an official letter to the Quartermaster General's office, written long before this Court was ordered, and without my solicitation or knowledge, that I directed him, on my return to New Orleans, in the latter end of March, to forward promptly to Florida all the supplies that had been or might be required from his department. The Court is particularly desired to examine the testimony of these two officers, Major Clark and Captain Morrison—compare their statements with the vague allegations upon which my accuser relies, and mark how completely the plain simple statements of these most exemplary officers of the general staff disprove the hearsay stories upon which the charge of my accuser is based. By the testimony of these officers it will be seen that their efforts were unremitting to obtain and forward promptly every supply required. They were well aware of the probability that the war in Florida would be renewed. But even had it been otherwise, had they received official notice that a treaty of peace had been concluded, they understood their duty too well to relax in their efforts to forward supplies; as they well knew that troops must have their rations, and public horses their forage, in *peace* as well as in war; besides, they knew that a treaty of peace would create an additional call for subsistence, inasmuch as it would impose on the United States the task of feeding some thousands of half-starved Indians of both sexes and all ages.

Major Clark had been on duty in East Florida for several years subsequent to the year 1820; had superintended the construction of the military road from Fort Brooke to Fort King; had made himself well acquainted with the Indians, and with the topography of a considerable portion of the country they then occupied. My letter to the Adjutant General, under date the 15th of January, 1836, now before the Court, contains Major Clark's estimate of the number of the Indians and blacks, which he deemed to be over 2,000 warriors. His statement in reference to the accusation in question is as follows:

"ASSISTANT QUARTERMASTER'S OFFICE,

"*New Orleans, August 16, 1836.*

"SIR: I have this day seen a publication in the National Intelligencer, of the 27th July, taken from the New York Star, on the subject of the campaign in East Florida. The writer, in speaking of the arrival of the army at Tampa bay, says, 'we there learned that the quartermaster at New Orleans, influenced by the representations made or caused (as it was said) to be made by General Gaines, that the war was closed, had abstained from sending on provisions he had been ordered to forward from that place.' The whole of this part of this statement is incorrect. When or how he obtained this information I know not. General Gaines, on his return to New Orleans, told me to continue to send supplies, which

was done promptly. Every exertion was made, both by myself and the assistant commissary, to obtain and forward the subsistence and forage required. There was great difficulty in obtaining hard bread, and every barrel that could be had was immediately shipped.

"On the 31st of March, the assistant commissary at Fort Brooke forwarded a statement to the assistant commissary at New Orleans, of the supplies on hand—216,750 rations of meat, 304,423 rations of bread and flour, and the small rations in proportion; at this time there were two vessels on the way, laden with subsistence and forage, and the bills of lading show that they were received on the 6th of April in good condition. Now, it appears the army arrived at Tampa bay the 3d, 4th, and 5th April, and remained but a few days, before they took their departure, and I cannot conceive where was the scarcity of provisions, unless it was in the hard bread; this was unavoidable, for it could not be obtained; that is, the quantity required.

"My object in making this statement is to correct the error that General Gaines had, in any way, contributed to the withholding supplies from the army in Florida; also, to show that there was no cessation, on the part of the commissary or myself, in procuring and forwarding the supplies at the earliest period possible. The proofs of this are contained in my list of shipments now at Washington.

"I have the honor to be, sir, with high respect, your obedient servant,

"J. CLARK,

"Assistant Quartermaster.

"To Maj. T. CROSS,

"Act'g Q. M. Gen., Washington."

General Scott has urged, as among the causes of the failure of his campaign, the necessity of replacing the subsistence drawn from Fort Drane by General Gaines, and of providing for a larger force than was expected there; and has desired the Court to remember *who* took from Tampa bay the means of transportation which were there early in February, and *what* prevented the arrival of new means from New Orleans.

I remark, that the subsistence drawn by me from Fort Drane, previous to the arrival of General Scott, was something less than 12,000 rations. By General Scott's letter of the 9th March, to the Adjutant General, it will be seen that the ordinary baggage-train of General Clinch conveyed, in one single trip from Picolata to Fort Drane, 17,497 rations of bread and flour, and 11,000 rations of pork, besides a quantity of beans, coffee, &c. The Court will perceive that, with the beef-cattle at Fort Drane, (of which the principal part of the meat ration was composed,) this supply of 17,000 rations and upwards of bread and flour nearly twice replaced the whole amount of supplies drawn by my troops; and that this was done, not by the transportation ordered into the country or provided by General Scott, but by a single expedition of the wagon-train of General Clinch, which had been despatched from Fort Drane and had arrived at Picolata on the 2d of March, the day on which my express of the 29th of February was received by General Scott. This wagon-train was detained, unnecessarily, until the 6th of March, and was then four days in removing to Fort Drane, although a movement of the same extent in the summer, the rainy season of the year; was effected some weeks afterwards by Colonel, then Major Pierce, in two days' time. As

to the necessity of providing for more force than was expected, this can in no manner be alleged by General Scott as an evil; for, by his letter of the 6th March, he admits the necessity of a part of that force to complete the right wing, (owing to the defection of the Georgia troops;) and if the force was larger than was desired, on account of supplies, he had it entirely in his power to relieve the commissariat, by detaching as much to Picolata as he pleased, or dismissing the whole of it, if he thought necessary. But he retained the whole of it, merging it into the right wing, and taking it with him on his march to Tampa. There is a disingenuity in the allusion to my having taken the transportation from Tampa, in the argument of General Scott; for he would have the Court infer that it operated to the disadvantage of the movements of the right wing, whereas, whatever that transportation was, it was at his own disposal after it reached Fort Drane, and necessarily became a part of the transportation of the right wing; so that, while the General had it entirely in his power to diminish the force *ad libitum* at Fort Drane, by discharging the surplus, he was actually in the use of all the transportation taken by me, not only from Tampa, but from New Orleans. From Tampa bay, I did indeed take but one single horse-cart, and I believe one horse and one mule of public property, not placed there by General Scott, and perhaps eight or ten Indian ponies. The principal part of my transportation was procured by myself at New Orleans, and General Scott not only had as much or as little of my force as suited his own pleasure, but he had all my transportation at Fort Drane. General Scott admonishes the Court to remember what prevented the arrival at Tampa of new means of transportation from New Orleans, alluding to the testimony of Lieutenant Morris; and here is the same disingenuity; for, had the city of New Orleans itself been at Tampa bay at the time of the movement of the right wing, it could not have aided the operations of that wing in its attempts upon the cove in its downward march to Tampa. That this movement was necessarily and absolutely independent of Tampa, is too plain to require proof. But even if it had depended upon Tampa, all of the quartermaster's and commissary's stores, as seen by the letter of Major Clark, were there, and these were all that the Government had any control over, all that could have been or were ordered there, all that were at all necessary for the campaign. The only stores not there, even admitting the testimony of Lieutenant Morris, were some sutler's stores, mere articles of convenience or comfort in a permanent garrison: such as tobacco and herring, and sometimes cheese and bacon and crackers; articles that could not have been carried on the campaign, if for no other reason than the want of transportation. It would have been strange indeed to have thrown out of the wagons the substantial and necessary articles of pork and flour, and supplied their places with herring and tobacco. On this head, however, I have another remark, that Mr. Morris, the writer of the letter to Lieutenant Morris, in which was enclosed the scrap of a newspaper containing a report that the war was ended, and assigning this as a reason for not sending the herring and tobacco, was not a sutler, and was not in any manner bound to furnish those little comforts. He was a New Orleans merchant, and in the business of turning a penny by sutling; was an intruder; or, to use the more forcible language of General Scott, he was an "interloper." [Upon the subject of means of transportation at Tampa, see the testimony of Lieu-

tenant Morris, by which it is obvious there was near ten times more public means of transportation brought to that place by me, and by order of Major Belton, for my use, than was there upon my arrival.]

“ Question by General Gaines to Lieutenant Morris. General Scott having charged that General Gaines took the public transportation from Tampa bay, to the disadvantage of the movement of Colonel Lindsay, the witness is desired to state what amount of transportation was taken by General Gaines; also, whether it was or was not replaced by Lieutenant Casey; when Lieutenant Casey arrived at Tampa; what amount of transportation he brought; whether Colonel Lindsay had the benefit of that transportation, and by whose order; when and where, so far as witness knows or believes, Lieutenant Casey was sent for said transportation.

“ Answer. There were only four or five indifferent horses taken by General Gaines that belonged to the post, besides the number that was directed to be sent by him from New Orleans. It is proper to state that there were 60 horses sent at first; but, from disease and rough weather at sea, 5 or 6 died, and some of the others were in a poor condition for service. Lieutenant Casey, the acting quartermaster at Tampa bay, had been sent, I suppose by order of the commanding officer, to Middle Florida, (Tallahassee,) to procure means of transportation for General Gaines's army, which was expected to arrive soon. The transportation, 6 or 8 teams complete, arrived a short time after General Gaines's departure with his force from Tampa bay. This transportation was put in requisition by Colonel Lindsay, after he arrived there, and found the principal transportation of his column. To the best of my recollection, there were 42 or 48 horses or mules, which formed the teams for the wagons arrived from St. Mark's.

“ Question by General Gaines. Was it known at Tampa bay, at the time Lieutenant Casey was sent for transportation, that any other troops were expected at Tampa bay than those taken there by General Gaines?

“ Answer. I knew of no other, and I believe it was not known there that Colonel Lindsay's or any other troops were expected to arrive at that time.

“ Question by General Gaines to Captain Drane. Please state what reason you had, if any, after returning with the right wing of the Florida army to Fort Drane, for believing that the families of the Indians were still in the cove, and whether any doubt remained on your mind as to their being there in March and April last?

“ Answer. The night before the right wing of the army crossed the big Withlacoochee, returning, I was called, at 12 o'clock at night, by Major Cooper, who was the officer of the day, to listen to the talk of both Indians and negroes, on the north bank of the big Withlacoochee. The next morning the army had marched but about one half mile, when we crossed a trail of Indians coming out of a swamp; passing to the south; a little further on, about 200 or 300 yards, we discovered a trail leading into the swamp; the trails were evidently fresh, and made that morning. The second day after crossing the little Withlacoochee, on the route to Fort King, the army crossed several small trails, some leading to the cove and some to the west; those west leading into Wahoo swamp, or that direction. The day following the day we marched to Fort King, our left flank was attacked by a small party of Indians, that soon fled also in the direction of the Wahoo swamp or Withlacoochee. On our arrival

at Fort King, we were there informed that Billy Emathla's wife and one other squaw, I believe her sister, had been captured, during the absence of the army from Fort Drane, and taken off by the hostile Indians. Some days after the army arrived at Fort Drane, Billy Emathla's wife made her escape and returned to the right of the army to her husband. I had several conversations with her through the interpreter. She informed me that the Indians had not moved from the Wahoo swamp and the cove on the Withlacoochee; that their women and children were still there; there they had planted their grounds; that the crops were very fine. She described the corn and rice as being about a foot high. She stated that, in her opinion, they would have a better crop than they ever had. I inquired of her if the Indians had moved their families from there at any time during the war. She informed me that they had not. She there had a conversation with Powell, who advised her to quit her husband, and join the Mickasukies, and not return back to the white people; that his men had whipped all the white men, and driven them out of the country, and then they had gone home; that he then meant to assemble his warriors and drive the pale-faces from Fort King; and then he would go to Fort Drane and drive them away from there, where they would get a large supply of ammunition; and they then would drive all the Alachuas (meaning volunteers) out of the country, as far as the Suwannee; and then that they would have all the country from the Suwannee, south, to themselves. She informed me that she had heard Powell repeatedly say, during the time she was in captivity, that he never would make peace with the white man. The above are the reasons why I have never had a doubt that the Indians had never quitted the cove or the strong holds on the Withlacoochee. After the army had returned to the Withlacoochee with General Gaines, I was sent to Oaklands, five or six miles northeast from Fort Drane, where I remained until General Scott arrived. During the time I occupied that post with my command, and a few days after I returned from the Withlacoochee, very frequent signs of Indians were discovered on the plantation of Colonel John McIntosh, and crossing the main road leading to Micanopy. I had frequently seen fires on the opposite side of Orange lake during this period, and I felt satisfied they were Indian fires.

"The Indian women spoken of in this account were captured during the time the army was absent on its march from Fort Drane to Fort Brooke. They returned from captivity after the army arrived at Fort Drane from Fort Brooke.

"*Question by General Gaines to General Smith.* To what extent was the cove swamp penetrated by General Scott in March or April, 1836; and was the search for the Indians by him sufficient to enable him to pronounce upon the position of the Inlinns or their families?

"*Answer.* On the 30th March General Scott left all the baggage under the charge of Major Wilson, and a detachment at what I presume may be called the entrance of the cove. We marched without the baggage that afternoon probably about four and a half miles. Next morning we crossed the foot over a very deep and difficult bog which was in front of our encampment. The right column, which was under my command, attacked a small party of Indians that were in front, and pursued them three or four miles, to the utmost extent of the pursuit. Part of the column had arrived, by taking a direction on the banks of the river; the

other part, with which I was myself, was pursuing the trail down through the woods to the right, when one of General Clinch's staff brought an order for us to return. We then retraced our steps to where the baggage was, and the next morning took up our march round the outside of the cove, and after leaving Major Cooper with his battalion towards the southern extremity of it, we went to Tampa bay. The farthest extent to which the cove was penetrated was by the party which I commanded. Both the columns that entered the cove met in the cove altogether about 120 or 130 Indians. We had lost all trace of the Indians in the cove before we were recalled. We were on an old path, but we had lost all trace of the particular party we were pursuing.

“ Question by the same to the same. What is the opinion of the witness as to the location of the Indian families in March and April ; and does the witness know whether they had or had not gone down to Pease creek ?

“ Answer. I have no idea of where they were at that time. They could not have been on Pease creek, unless possibly at the very head of it, a point beyond which I went. I do not think there was any large body of Indians on Pease creek, as I ascended it with only 140 men, and the Indians would have known of our approach. We crossed two considerable trails leading to the south, but they must have been two or three months old.*

* *Note by Major General Gaines.*—General Scott has labored very diligently to show that the Indians removed their families and dispersed themselves from the cove of the Withlacoochee in March, and has attributed the supposed movement to me. He formally reported his opinions to the War Department on the 30th of April, and has urged the same considerations before the Court of Inquiry, but without introducing any evidence upon the subject. He has quoted his own letters, containing his opinions, and asks very significantly how he is to account for not finding, three weeks after General Gaines left the Withlacoochee, any considerable body of the enemy, on any other supposition than that of their dispersion.

The difficulty is very easily solved, and since General Scott has suggested it, in connexion with the effects of my movement, I have thought proper to place on your record the testimony necessary for the purposes of explanation ; and the answer to the General's inquiry may be embraced in a single sentence. He did not find the enemy, because he did not go where the enemy was to be found. The testimony of Captain Drane and Lieutenant Mitchell has shown that Major General Scott penetrated the cove but two and a half miles, about four miles from the crossing of the river, although Captain Drane, who has been many years in that country, and is well acquainted with it, has told you that the cove is 15 or 20 miles in extent. It has a circumference of not less than 40, perhaps 50 miles ; and this celebrated spot, the known and acknowledged strong-hold of the enemy, the object of all General Scott's plans, the theme of his public letters and reports, was penetrated but the short distance of two and a half miles, when the pursuit was strangely abandoned, while a portion of the enemy was in view, and the remainder of the march was conducted in the open country for many miles, adjacent to this celebrated hammock, to Fort Cooper, where a useless post was established, and supplied with 17 or 18 days' provisions for three or four hundred men, instead of penetrating the hammock with that supply of provision, and searching for the enemy. In connexion with this subject, I will observe that, if General Scott thought the force was too large in the right wing, he should have left a portion of it at Fort Drane, more especially if he was not able to supply it with provisions. Again, General Scott took with him all the transportation he had at Fort Drane, leaving still some supplies in depot at Fort Drane. Now, this transportation was more than all he had ordered into the country, not only by the addition of that possessed by General Clinch, but by that taken to Fort Drane by myself ; so that, if his force was out of proportion large, he could have left a portion of it, and then have moved on the Withlacoochee better provided, in every respect, than it was possible for him to be independent of my movement ; yet, with all these advantages of men and means, he only penetrated the swamp two and a half miles, proceeded to Tampa bay, and there reported to the War Department that he had penetrated the cove to its head, as he thought, and now insists upon it as a matter clearly ascertained that the Indians had dispersed. I repeat, in answer to his question, why did he not find the enemy ? It was because he did not go where they were. They were in the cove. A body of some 250 was actually found in the edge of it

I have stated that the proper time and place for Major General Scott to enter upon the command of the forces under me, in that part of my department which formed the theatre of the war, was the precise time and place of his arrival in person at the position occupied by the force actively engaged under me at that position ; because, until the moment of his arrival at my position, every duty and every responsibility necessarily rested with me, and therefore it was proper that I should be governed in my movements and measures by the movements of the enemy, with a view to the immediate protection of the frontier, and to subdue the enemy, or to hold them in check, until the arrival of additional force and supplies. This view of the subject is based upon a principle which has from time immemorial governed the interior and exterior police of the armies of the most enlightened nations of the world, during a state of war : a principle, therefore, strictly applicable to a state of war. Take, for example, a picket-guard, or a small out-post, near the enemy : who ever heard of the commander of either being relieved otherwise than upon the personal appearance of the officer authorized to take command. At a post or in a department where there are several officers on duty, the commander may be relieved in time of war by a special order, directing him, on the *receipt of such order*, to turn over his command to a particular officer near him, or to his next in rank ; but, without some such special authority, the officer to be relieved would remain in command, if near the enemy, until the new commander arrives in person at the position occupied by the principal force employed near the enemy.

I have sought in vain for a case tending to justify or excuse the pretension of a right, on the part of General Scott, to assume the command of any part of the forces of my department, upon the theatre of the war, whether with me in the field or otherwise, previous to his arrival *within the limits of my department, and at the spot where the troops were employed in an active campaign against the enemy*. I have, on the contrary, found many cases tending to establish the principle for which I contend, and upon which I acted—to one of the strongest of which I have desired, and again desire, the attention of the Court. I allude to the case connected with the battle of Vimera, in Portugal, fought in August, 1808, between the British army, under Sir Arthur Wellesley, and the French, under General Junot.

After Sir Arthur embarked at Cork, in Ireland, with an army of ten thousand men, for the Peninsula, General Sir Harry Burrard Neale, senior in rank to Sir Arthur, was ordered to take command of the forces proceeding to Spain, of which Sir Arthur's division formed a part. About

by General Scott ; and after he left Fort Cooper, that post was assailed by Indians from the cove for some 17 days in succession.

On the return march from Tampa to Fort Drane, Fort Cooper was absorbed, and the march was thence conducted into the Tampa and Fort King road ; in passing to which, Captain Drane testifies that the southern edge of the hammock was traversed for a short distance, but the great cove itself was not penetrated.

In this march from Tampa, it might be readily supposed one select corps could have been organized of the three divisions at Tampa, leaving the remainder at Fort Brooke, and, with the whole of the transportation, this corps of choice troops might have been amply provided for an examination of at least a week or ten days in the cove ; but no ; the divisions returned as they went, and the great cove, as if avoided with special care, was passed on the west in going down, and on the east in returning, and, without examination, the Indians were officially reported to have dispersed.

E. P. GAINES.

the same time General Sir Hugh Dalrymple, then at Gibraltar, received orders to take command of whatever British forces he should find in Portugal. Sir Arthur, on arriving near the coast of Portugal, learned that General Junot, with a French army of 14,000 men, was in the vicinity of Vimera; whereupon the British army, under Sir Arthur, landed, and was soon after attacked by the French. A severe conflict ensued. It so happened that, during the battle, General Neale arrived at Vimera; he immediately sent an officer of his staff to the field of battle, in sight of Vimera, to announce his arrival to Sir Arthur, notifying him, however, that he was expected to continue his operations against the enemy according to his own plan. The battle continued for some hours. Previous to its termination, General Sir Hugh Dalrymple arrived at Vimera. He also announced his arrival to Sir Arthur, who was again notified by a superior, that he, Sir Arthur, would continue his operations according to his own original plan, until the battle should be over. The French army was ultimately beaten, and was seen by General Dalrymple retiring rapidly in a direction towards *Torres de Vidras*. On making this discovery, General Dalrymple sent his aid to desire Sir Arthur to give up the pursuit, and return with his army to Vimera. Sir Arthur remonstrated, and insisted upon the propriety of pursuing and capturing the remnants of the French army, as an essential part of his original plan. General Dalrymple persisted in recalling the victorious army, and sent a peremptory order to Sir Arthur, requiring him to retrace his steps to Vimera. He complied. But the great error of this retrograde movement was soon demonstrated by the arrival of a flag of truce, with a proposition from the French commander to capitulate, on condition that his army should be conveyed by British transports to France as prisoners of war on parole.

This capitulation was arranged at Cintra, and it was termed "the convention of Cintra." From the proceedings of a board of inquiry, consisting of several general officers, into the operations at Vimera which led to the convention of Cintra, there is no evidence of any effort by either of the general officers ordered to command the forces under Sir Arthur Wellesley to assume or exercise any command whatever until their arrival at Vimera; and even then they both successively deemed it to be their duty to abstain from taking command until the pending battle should be terminated. And General Dalrymple was censured for his interference before the pursuit and capture of the enemy was completed.

Had either of those general officers halted from sixty to ninety miles from the theatre of the war in which Sir Arthur was engaged, it is not to be believed that any respect would have been paid to their orders, nor is it probable that the British Government would have tolerated so irregular and inefficient a measure. Suppose, sir, that either of those senior commanders had sat still at the very secure post of Gibraltar, and had taken measures to withhold from Sir Arthur Wellesley's army their proper supplies of subsistence, and had thus attempted to starve that gallant army out of its position at Vimera, would it not have brought the author of so atrocious an outrage to a volley of ball cartridges? Yes, sir, even in the monarchical and aristocratic Government of England, where favoritism has its all-powerful sway, I venture to affirm that such

an outrage, on the part of any officer in the British army or navy, would have cost him his life ; and the ministry that would have sanctioned or connived at such an outrage would have been promptly hurled from power.

I thank the Court for the patient hearing which they have given me.

EDMUND P. GAINES,
Major General U. S. A. by brevet.

DOCUMENTS IN THE CASE OF GENERAL GAINES.

No. 1.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, January 15, 1836.

GENERAL: I do myself the honor to report, for the information of the proper authorities, that, having met, on my arrival at this city, yesterday, the bad news of the defeat and massacre of Major Dade, with a detachment of United States troops, consisting of eight officers and nearly one hundred non-commissioned officers and soldiers, by the Seminole Indians near Tampa bay, East Florida; and having reason to apprehend that the troops at Fort Brooke, with those which this sad disaster must speedily draw towards that post, will need more arms, ammunition, and subsistence, with axes and other tools, than the supply now there will afford, I have considered it to be my duty to order, and have, therefore, ordered, the articles specified in the requisitions of which I enclose herewith copies, (marked A, B, and C,) to be obtained and forwarded thither forthwith.

Convinced, as I am, that no time should be lost in applying to these red and black savages the last and obvious means of correction, and not doubting but that the 6th and part of the 1st and 7th regiments of infantry will very soon be ordered, by the way of this city, to East Florida, to co-operate, with the disposable companies of United States artillery and Territorial volunteers, in the arrest or destruction of those Indians and brigands, before the dry weather of winter shall pass away, and the rains of spring and summer cover the swamps and flats that surround them with water; and believing that the forces to which I have alluded will not be able to arrest or punish a people so nearly amphibious as these savages are, without the aid of some naval force, with gun-boats, to co-operate with the troops along the seacoast of Florida, I shall, by the first conveyance, request the commander of the naval station at Pensacola to furnish such force and boats as he may feel authorized to order on that service.

Some experience and much reflection have convinced me that the only sure means of terminating speedily and effectually all difficulties with these savages will be to march an army of at least four thousand men along the seacoast, to which they usually take refuge, to be flanked and supported by the proposed naval force, whose aid will be necessary in crossing inlets, creeks, bays, lakes, and ponds, with which the whole of that seacoast abounds, and in scouring the tangled thicket-woods and deep swamps into which the enemy would escape and be secure against any force that we would employ *on land*, unaided by naval force; whereas, by the proposed co-operation of land and naval force, we should not fail to take or destroy most of them, and certainly take or destroy their boats and the boats of their allies, the fishermen and other stragglers and idlers, from the island of Cuba, from whom, there is reason to believe,

these Indians obtain supplies of ammunition and subsistence. We should thus cut off this source of supply and of escape, and we should thus force them to sue for peace.

Their number of fighting men cannot, I am convinced, be less than two thousand four hundred. Our excellent quartermaster, Major Clark, who spent several years near them, and often surrounded by them, deems their force to be between 2,000 and 2,500; recent accounts state their number at near three thousand; but, if they have not more than two thousand, it would be imprudent to send in pursuit of them, in a country so perfectly known to them, and so little known to our troops, and, moreover, a country affording them peculiar natural advantages, which might often enable them, with inferior numbers and inferior prowess, to overcome and destroy our troops. Indeed, Colonel Twiggs, who has had the means of appreciating the character of the country, as well as that of the enemy, concurs with me in the opinion that a *land force* of ten thousand men would find it extremely difficult to take or destroy this enemy, contemptible as it is deemed to be, without the co-operation of naval force.

All which is most respectfully submitted for the information of the proper authorities.

EDMUND P. GAINES,
Major General commanding.

To the ADJUTANT U. S. ARMY,
Washington, D. C.

No. 2.

A.

Requisition for ordnance and ordnance stores for the year 1836.

Musket-ball cartridges	-	-	-	250,000
Musket flints	-	-	-	3,000
Cartridges canister-shot, fixed, for six pounds	-	-	-	2,000
Sticks port-fire	-	-	-	50
Pounds slow match	-	-	-	100
Cartridges grape-shot, fixed, for six-pounds	-	-	-	200
Rifles, complete	-	-	-	200

This requisition is rendered necessary in consequence of the Seminole Indians and blacks having commenced war in the Territory of Florida, and having recently cut off a considerable force under Major Dade, 4th infantry. Immediate concentration of force at Fort Brooke, Tampa bay, is necessary, and for which force these supplies will be required.

EDMUND P. GAINES,
Major General commanding.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, January 15, 1836.

The acting ordnance officer at Baton Rouge arsenal will issue and deliver to Lieutenant Myers the ordnance stores embraced in the above requisition.

EDMUND P. GAINES,
Major General commanding.

No. 3.

B.

40,000	rations	pork,	equal	150	barrels.
40,000	do.	flour,	do.	235	do.
40,000	do.	beans,	do.	26	do.
40,000	do.	candles,	do.	2	do.
40,000	do.	soap,	do.	9	do.
40,000	do.	salt,	do.	7	do.
40,000	do.	vinegar,	do.	13	do.
40,000	do.	sugar,	do.	16	do.
40,000	do.	coffee,	do.	10	do.

Total, 468 barrels.

NEW ORLEANS, January 16, 1836.

The above articles of subsistence stores will be required to complete the loading of the transport destined for Fort Brooke, Tampa bay.

P. MORRISON,
1st Lieut. 4th Infant., A. C. S.

No 4.

C.

Special requisition on the Quartermaster's department.

For 200 lbs. 10d nails.
 200 lbs. double 10d nails.
 200 lbs. 8d do.
 200 lbs. 4d do.
 6 broad-axes.
 200 felling axes.
 100 picks or grubbing-hoes, with an axe one side.
 25 augers, assorted.
 12 cross-cut saws.
 200 lbs. oakum.
 2 dozen gimlets, assorted.

- 4 grindstones, common size.
- 50 hatchets.
- 400 lbs. spikes, wrought for building boats.
- 200 spades.
- 12 hand-saws.
- 20 coils (inch diameter) rope.
- 1 dozen whip-saws.
- 6 dozen whip-saw files.
- 6 dozen hand-saw files.
- 3 dozen cross-cut files.
- 2 dozen iron wedges.
- 2 dozen iron froes.
- 6 adzes.
- 6 hammers.
- 1 set blacksmith's tools, screw-plate, &c.
- 4 sets calking irons.
- 300 lbs. iron, bar.
- 200 lbs. rods for bolts, $\frac{3}{4}$ inch thick.

I certify that the above requisition is correct, and that the articles specified are absolutely requisite for the public service, rendered so by the following circumstances: The Seminole Indians and blacks having commenced war in the Territory of Florida, and having recently cut off a considerable force under Major Dade, 4th infantry. Immediate concentration of force at Tampa bay, Fort Brooke, and for which these supplies will be required.

EDMUND P. GAINES,
Major General commanding.

The quartermaster will issue the articles specified in the above requisition.

EDMUND P. GAINES,
Major General commanding.

Received, New Orleans, January, 1836, of Major J. Clarke, assistant quartermaster United States army, two hundred pounds 10d nails, two hundred pounds double 10d nails, two hundred pounds 8d nails, two hundred pounds 4d nails, six broad-axes, two hundred felling-axes, two hundred spades, one hundred picks or grubbing-hoes, twenty-five augers, assorted, two dozen gimlets, assorted, twelve cross-cut saws, twelve hand-saws, twenty coils of inch rope, two dozen whip-saws, six dozen whip-saw files, six dozen hand-saw-files, three dozen cross-cut files, two dozen iron wedges, two dozen iron froes, four grindstones, fifty hatchets, four hundred pounds spikes, two hundred pounds of oakum, six adzes, six hammers, one set blacksmith's tools, four sets calking irons, three hundred pounds of iron bar, two hundred pounds rod, $\frac{3}{4}$ inch thick.

In full of the above requisitions.

No. 5.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, January 15, 1836.

SIR: Being convinced, from the published reports of the late sanguinary conflicts in East Florida, between the United States troops and the Seminole Indians, that an immediate concentration in that quarter of additional force is necessary for the prompt punishment which the habitual faithlessness and inveterate hostility of those brigand tribes merit, I am sure I shall but anticipate the wishes of the President of the United States by soliciting the services of a few corps of the high-minded and chivalric volunteers of Louisiana. I have, therefore, respectfully to request your excellency to give orders authorizing a regiment of eight companies of riflemen and infantry, or of either of these arms, to hold themselves in readiness to assemble, at a moment's warning, at this city, for embarkation from hence to Fort Brooke, near Tampa bay.

The United States quartermaster and assistant commissary of subsistence will be ordered to have in readiness, at this city, arms, ammunition, and subsistence, and camp equipage, hospital and medical stores, and medical attendance for the volunteers, who will be expected to provide themselves with a supply of clothing.

Very respectfully, &c.,

EDMUND P. GAINES,

Major General commanding.

His Excellency E. D. WHITE,
Governor of Louisiana.

No. 6.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, January 16, 1836.

SPECIAL ORDER. •

The assistant commissary of subsistence at New Orleans will obtain and deliver to Lieutenant Myers, of the 4th regiment infantry, forty thousand complete rations of provisions, to be forwarded to Fort Brooke, East Florida, forthwith.

EDMUND P. GAINES,

Major General commanding.

No. 7.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, January 16, 1836.

SPECIAL ORDER.

1. Lieutenant A. C. Myers, of the 4th infantry, will repair to Baton Rouge, and receive from the ordnance officer at that post the arms and

ordnance stores specified in my requisition of yesterday's date ; which supplies he will have shipped to this city, and placed on board the transports to be furnished by the United States quartermaster, with the subsistence and tools required for Fort Brooke, Tampa bay ; which supplies will be receipted for, and be in charge of Lieutenant Myers, and be delivered by him to the commandant of Fort Brooke.

2. To guard against accidents, Lieutenant Colonel Foster will furnish Lieutenant Myers with a non-commissioned officer and twenty sober men to accompany him, for the protection of the vessel and military stores ordered to Fort Brooke.

EDMUND P. GAINES,
Major General commanding.

No. 8.

HEADQUARTERS, WESTERN DEPARTMENT,
Mobile, Alabama, January 18, 1836.

ORDER No. 4.

Captain Ethan A. Hitchcock is hereby appointed to act as assistant adjutant general. He will accompany the General to Pensacola, and thence on his intended visit of inspection in Florida and Louisiana.

EDMUND P. GAINES,
Major General commanding.

No. 9.

HEADQUARTERS, WESTERN DEPARTMENT,
Mobile Alabama, January 18, 1836.

SPECIAL ORDERS No. 5.

1. Lieutenant Colonel D. E. Twiggs will receive, and cause to be mustered into the service of the United States, the corps of Louisiana volunteers requested of his excellency the Governor on the 15th instant, and have them supplied with arms, ammunition, and camp equipage, with a supply of subsistence sufficient for two months' issue.

2. To the Louisiana volunteers, or to such four companies of them as may be first ready for service, Lieutenant Colonel Twiggs will add such regular force as may have arrived at New Orleans previous to the time the volunteers shall receive their supplies, together with such of the 4th regiment of infantry at Baton Rouge and New Orleans as in his judgment can be considered disposable ; with which force he will embark on board the most serviceable vessels he can select for the contemplated voyage and peculiar service in view, and repair to Tampa bay, where he will report to and co-operate with Brigadier General Clinch, or the officer commanding the present expedition against the Seminole Indians.

3. Should an immediate communication with the main force now in Florida prove to be impracticable, Lieutenant Colonel Twiggs will, in that case, take command of such other force as he may find disposable at

Tampa bay, and arrange, with the commander of such naval force as he shall find in that quarter, a plan of co-operation for the immediate arrest or destruction (in case of resistance) of all the Indian warriors and colored fishermen found in East Florida, with such as may be seen hovering upon the Florida coast without permission.

4. The Louisiana volunteers will be mustered by Lieutenant Buchanan.

EDMUND P. GAINES,

Major General commanding.

No. 10.

HEADQUARTERS, WESTERN DEPARTMENT,

Pensacola, January 25, 1836.

GENERAL: I have the honor to report, for the information of the proper authorities, that, in pursuance of my intention suggested in my letter to you under date the 15th of this month, from New Orleans, I proceeded, by the way of Mobile, to this place, where I had the satisfaction to learn that Commodore Dallas at Key West, and Commodore Bolton at the navy yard here, had, with the promptitude, zeal, and judgment, for which they have been long and justly distinguished, ordered to Tampa bay all the force which they deemed it practicable to dispose of, for the desired co-operation with the troops in that quarter, of which, I doubt not, the Navy Department has been duly advised. With these timely aids, added to the force which Lieutenant Colonel Twiggs is now collecting together for that service, with the 6th regiment infantry, which I trust will have been ordered by the General-in-chief in time to reach New Orleans between the 1st and 5th of February, next month, will, I am convinced, be sufficient, with the force which General Clinch has a right to calculate on from the Atlantic posts south of New York, inclusively, to take or destroy the enemy in the course of a few days after the concentration of the forces above referred to: possibly a month may be required for the accomplishment of this service.

Having reason to believe that some volunteer companies of Louisiana were disposed to tender their services in the expedition to East Florida, I, on the 15th instant, requested his excellency Governor White to give orders authorizing a regiment, to consist of eight companies of riflemen and infantry, or of either of those arms, to hold themselves in readiness to assemble at a moment's warning at New Orleans, for embarkation to Fort Brooke, Tampa bay. On my way to this place, on meeting the news of the sudden abandonment and *homeward rush* of the Floridian militia from Brigadier General Clinch, just when he had most need of them to rush upon the enemy, I, on the 18th instant, issued my special Orders No. 5, of which I send herewith a copy, directing Lieutenant Colonel Twiggs to receive in service the regiment of Louisiana volunteers, and to proceed, with that and all other disposable force at and near New Orleans, to Fort Brooke, to report to and co-operate with Brigadier General Clinch, and, with the aid of the naval force sent thither, to take or *destroy* (in case of resistance) the hostile Indian warriors, with all other colored men in East Florida, or found hovering on that coast without authority.

I very much regret to learn from Lieutenant Colonel Twiggs, under date the 22d instant, that he has reason to apprehend there will be but few volunteers; and that his whole force of regulars will amount to not more than one hundred and forty fit for duty. Small as this force is, I shall direct it to proceed to Tampa, with as many of the companies of volunteers required as may be in readiness in the present week; not doubting but that the sixth infantry will follow as soon as practicable, after it receives the anticipated orders to march. Should the ice have obstructed the navigation of the Mississippi even as far down as New Madrid, the regiment could march thither without heavy baggage in five or six days, where it would embark on board steamboats; there being always of late years some two or three, more or less, at or near the lower point of the obstructed section of the river. With such an obstruction, the regiment would arrive at New Orleans twelve days from the time it received marching orders. Without the supposed probable obstruction, the movement would be accomplished in six or seven days after the receipt of marching orders at Jefferson barracks. By suitable steamboats for the movement from New Orleans, the regiment, or any part of it deemed requisite to send to Tampa bay, would be landed there in two and a half to three days.

I shall repair immediately to New Orleans, and avail myself of every proper occasion in my power to meet faithfully all exigencies as they may occur, and to carry into effect whatever plans of operation the constituted authorities may see fit to direct for the defence of the country, and for the interests and honor of the service, pursuant to the constitution and laws of the land, and more especially in accordance with the *oath* under which I have often rendered our beloved country some service, against *enemies* and *opposers*, without and within her limits, as you and a few other honorable brethren in arms (who, thanks to our heavenly Father, are yet spared from an untimely grave) can and will testify. Let me have men and means, with the authority hitherto allowed to officers of my grade and station in times of war, or threatened war, and my life upon it I will not only soon inflict exemplary punishment on our too-much-despised red foe and his allies, but I will very soon put in a state of defence, for giving our old friends the French a warm reception, our excellent forts on this frontier—forts that are now without the means of defence, whilst every infantry company in my department may be, and shall be, if placed at my disposal, rendered equal in a few weeks' time to our artillery companies.

All which is most earnestly and most respectfully submitted.

EDMUND P. GAINES,
Major General commanding.

To Brig. Gen. ROGER JONES, *Adjutant General.*

No. 11.

HEADQUARTERS, WESTERN DEPARTMENT,
New Orleans, February 2, 1836.

SIR: With a view to an efficient co-operation of the forces now assembling in the northeast quarter of East Florida, under your command, with

those ordered from this city by water to Tampa bay, against the Seminole Indians and their colored vassals and allies, I take much pleasure in advising you that a fine battalion of the chivalric volunteers of Louisiana, consisting of eight companies, headed by Adjutant General Smith, are engaged to embark to-morrow with the regular troops at this post, under the command of Colonel Twiggs, on board the steamboats the Merchant, Captain Smyler, and the Watchman, Captain Vincent. These forces, amounting to near seven hundred men, added to two hundred and fifty artillerists and marines now at Tampa, to be sustained by an efficient naval force promptly furnished by Commodores Dallas and Bolton, for cutting off the enemy's boats and other means of escape to the islands on the coast, are intended to be in readiness at Fort Brooke, Tampa, by the 8th of the present month, to form a junction at or near that place with the force under your command, whenever and as soon as in your judgment your force shall be sufficient to justify the movement.

In the interim, I shall be governed by such information as I may receive at Tampa, or in my voyage thither, to effect the desired junction, and as soon as possible to operate against and take or destroy the enemy.

I advise you to move with great caution, fortifying your camp at night, and marching in open order during the day, so as to be always ready for action at a moment's warning. A sufficient quantity of ammunition and provisions have been transported to Fort Brooke, to divide with you, until further supplies are received.

With great respect, your obedient servant,

EDMUND P. GAINES,
Major General commanding.

To Brig. Gen. D. L. CLINCH,
or officer commanding Fort King, Florida.

No. 12.

HEADQUARTERS, WESTERN DEPARTMENT,

New Orleans, February 3, 1836.

SPECIAL ORDER No. 7.

I. On the arrival at this city of the sixth United States infantry, or such part of that regiment as shall arrive within the present month, the commanding officer will detach therefrom a guard, to consist of an officer and twenty-four non-commissioned officers and men, to each of the following posts, viz : Forts Jackson, Wood, and Pike, and to Baton Rouge ; and post one company at the barracks in this city, for the defence and protection of the said forts and posts, and to co-operate with the civil authorities in the maintenance of order.

II. In the interim, and until these arrangements can be made, Major Clark, the quartermaster, will take measures for the preservation of the public property at the above-named posts, by the employment of suitable officers or citizens to be stationed there for that purpose.

By order of Major General Gaines :

GEORGE A. McCALL,
A. D. C., acting Assistant Adjutant.

No. 13.

HEADQUARTERS, ON BOARD THE S. B. WATCHMAN,
Lake Pontchartrain, 8 o'clock, A. M., February 4, 1836.

SIR : I have the satisfaction to find that, in addition to the handsome battalion of Louisiana volunteers, under Adjutant General Smith, which you have had the goodness to raise, and, with the aid of the city authorities, supply with an outfit for the United States service, some other companies had yesterday offered their services.

In the absence of authentic information from the theatre of the border war in East Florida, and being satisfied, under existing circumstances, it is obviously more prudent and proper to have in the field a few companies, or even *a battalion more*, than to risk *a single soldier less*, than may be deemed sufficient to take or destroy the brigand enemy in that quarter, and thus terminate the war speedily and effectually, I can have no doubt of the propriety of requesting and accepting of two or three additional companies that have so gallantly offered their services.

In addition to the supplies mentioned in my letter of the 15th ultimo, I have directed the quartermaster to furnish these additional companies with knapsacks and blankets.

I have the honor to be, with perfect respect, your obedient servant,
EDMUND P. GAINES,
Major General commanding.

To his Excellency E. D. WHITE,
Governor of Louisiana.

No. 14.

ADJUTANT GENERAL'S OFFICE, *January 22, 1836.*

SIR : Your communication of the 5th instant is this day received and submitted to the General-in-chief ; and I have the pleasure to inform you that your proposed tour to the southern and eastern portion of your command is approved.

I am instructed to inform you, however, that the state of affairs *west* of the Mississippi may soon require your attention, if not presence, in that quarter ; accordingly, you will be pleased to await orders and instructions in New Orleans.

I herewith respectfully enclose " Order No. 7," by which you will see that Major General Scott has been ordered to Florida. The turn which Indian affairs have recently taken in that quarter has required considerable draughts on the neighboring States for a volunteer and militia force, as well as an increase of the regular force drawn from the seaboard.

As the operations against the Seminoles will oblige Major General Scott to cross the line of his command, authority is given to him to that effect, by instructions from the Secretary of War. As soon as the state of things will permit, General Scott will order the troops back to their respective stations.

I am, sir, with great respect, your obedient servant,
R. JONES.

To Major General GAINES.

Extract from a letter from the Secretary of War to General Scott, dated January 21, 1836.

“The line dividing your own department from that of General Gaines is at present an imaginary one; and probably would, if run, actually pass through the scene of hostilities. You will pursue your operations, therefore, without regard to any such divisionary line.”

No. 15.

HEADQUARTERS, WEST'N DEPT., ON BOARD S. B. WATCHMAN,
Pensacola Bay, February 6, 1836.

GENERAL: I have to acknowledge the honor of your letter of the 22d of last month, written, as I must infer, *by order of the Secretary of War*; but upon this point you are not explicit; which letter I met here this day, this vessel having been aground, and come in here to obtain fuel.

In your letter you refer to “Order No. 7;” no such order of the present year has been received by me.

Referring you, for the information of the proper authorities, to my letter written to you for their information, under date the 15th and 25th of last month, and more especially to the copy of my letter of the 2d instant to General Clinch, reported also for the information of the Secretary of War and General-in-chief, I have to state that I cannot, consistently with my plan of co-operation with General Clinch, (or with General Scott, if indeed he be the immediate commanding officer of the troops in the northeast border of East Florida,) I cannot with propriety abandon the proposed expedition or co-operation, until its results are known, or until I am authorized so to do, at a time subsequent to the peculiar facts and circumstances of the case being known at Washington: for, in addition to the binding effect of my proposition to *co-operate* with the forces from that quarter, I have made a pledge to the Governor and volunteers of Louisiana—a voluntary pledge—that I would not require this fine corps to go further than I myself would go; and that I would stand by them as long as they would stand by me, in our contemplated efforts to take or destroy our red and black enemy in East Florida. I cannot but hope that this may be accomplished before the state of affairs west of the Mississippi “*may soon*” as you intimate “*require my attention, if not my presence,*” in that quarter, judging from the style of your letter upon this point; and that I shall arrive at New Orleans in time to receive any orders, and execute any duties that may be assigned to me.

In respect to the contents of the extract subjoined to your letter, touching the “imaginary line” between the Western and Eastern departments, about which the honorable Secretary of War has again and again given himself so much trouble, that is a matter which I perfectly understand. The Rules and Articles of War, in accordance with which every *responsible* personage honored with the President's commission is presumed to act under the sanction of an oath and upon honor, make this

matter quite plain, the long-continued intrigues of all who have written, to mystify the subject, to the contrary notwithstanding.

All which is submitted with profound respect.

EDMUND P. GAINES,
Major General commanding.

To Adjutant General JONES,
Washington city.

No. 16.

ADJUTANT GENERAL'S OFFICE,
Washington, February 22, 1836.

SIR: Your communication dated "Pensacola Bay, on board steam-boat Watchman, February 6, 1836," has this day been received and submitted to the Secretary of War and General-in-chief; and, in answer, I am directed to say, it is expected that the Secretary of War's instructions to you, dated the 23d of January, have, ere this, been received, and that you will have proceeded accordingly to the western frontier of the State of Louisiana, there to assume the personal command of all the troops which are or may be employed in any part of the region adjoining the Mexican boundary. Lest the instructions herein referred to may not have reached you, the Secretary of War directs that a triplicate copy be now forwarded; and that, on receiving this communication, you will not delay your departure, but that you will be pleased to proceed immediately to the Western frontier, as herein required.

I send copies of this communication to you at Fort King and Pensacola.

I am, sir, with great respect, your obedient servant,
R. JONES,
Adjutant General.

To Major General GAINES,
Fort Brooke, Florida.

No. 17.

HEADQUARTERS, WESTERN DEPARTMENT,
Fort Brooke, Florida, February 10, 1836.

ORDER No. 4.

I. Captain E. A. Hitchcock, of the 1st regiment of United States infantry, is hereby appointed to act as assistant inspector general of the department.

II. The troops of this post, consisting of A, B, G, and H companies of the 2d regiment of artillery, and A, B, E, G, H, I, and K companies of the 4th infantry, with the Louisiana volunteers, under Adjutant General Smith, will constitute a brigade, to be designated the "light brigade," and will be commanded by Lieutenant Colonel D. E. Twiggs, of the 4th regiment of infantry.

III. Lieutenant J. Izard, of the dragoons, will perform the duties of brigade major, and will report to Colonel Twiggs accordingly.

By order of Major General Gaines :

GEO. A. McCALL,
Aid-de-camp, acting assistant Adjutant General.

No. 18.

HEADQUARTERS, FORT BROOKE,
February 12, 1836.

ORDER No. 6.

Brevet Majors H. Wilson and W. W. Lear, of the 4th infantry, senior captains on duty with their regiment, will do duty as field officers, during the absence of the colonel and lieutenant colonel on other service, or until otherwise directed ; to take effect from the 10th instant.

By order of Major General Gaines :

GEO. A. McCALL,
Aid-de-camp, acting assistant Adjutant General.

No. 19.

HEADQUARTERS, FORT BROOKE,
February 12, 1836.

SPECIAL ORDER No. 11.

First Lieutenant S. McKenzie, of the 2d regiment of artillery, ordnance officer at this post, will issue, for the use of the friendly Indians who have volunteered their services, 73 rifles, 17 wipers and drivers, and 10 bullet-moulds ; to be returned when their services on the campaign shall be dispensed with.

By order of Major General Gaines :

GEO. A. McCALL,
Aid-de-camp, acting assistant Adjutant General.

No. 20.

HEADQUARTERS, WESTERN DEPARTMENT,
Fort Brooke, February 13, 1836.

SPECIAL ORDER No. 12.

Lieutenant McKenzie, ordnance officer, will issue to Cap'tain Benjamin Hallett, of the Indian department, 50 muskets, and one keg of powder, taking the proper receipts for the same.

By order of Major General Gaines :

GEO. A. McCALL,
Aid-de-camp, acting assistant Adjutant General.

No. 21.

HEADQUARTERS, WESTERN DEPARTMENT,
Fort King, East Florida, February 22, 1836.

GENERAL : I have the honor to report, for the information of the President of the United States, my arrival at this post this afternoon, with the regular and volunteer force referred to in my plan of operations, enclosed to you from New Orleans under date the 2d of the present month, all in good health, save two or three cases of chills and bad colds, which I have reason to believe two days of rest and medical attendance will remove—having sought at every point deemed most likely to present to me the principal force of our savage enemy, without being able to find him, or any visible evidence of the direction of his late movements. I shall continue to search for and endeavor to render a satisfactory account of these faithless barbarians.

I shall take an occasion to write to you as soon as I shall have time to collect the information which this place and its vicinity may afford. In the mean time, I enclose to you the report of my acting inspector general, giving an account of my visit to the battle-ground of Major Dade, and the burial of the gallant band of which he was the unfortunate leader.

Very respectfully, your obedient servant,

EDMUND P. GAINES.

To Adjutant General Jones.

No. 22.

HEADQUARTERS, WESTERN DEPARTMENT,
Fort King, East Florida, February 22, 1836.

GENERAL : I do myself the honor to announce to you my arrival at this place this afternoon, pursuant to my plan of operations communicated to you under date the 2d of the present month, my force consisting of near eleven hundred regulars and volunteers, all in good health, save and except some few cases of chills and colds, which I doubt not but two days' rest will remove. My march to this place was by way of Warren's landing, on the Alafia river, and thence to the "military road" near the burnt bridge on the Hillsborough river; thence along the road to this post; having found, nearly forty miles south of this post, the deeply afflictive exhibition of the slain and mutilated bodies of the gallant band who fell in battle under Major Dade on the 28th of December, without being able to discover the savage foe by whom this and other numerous acts of barbarism had been perpetrated upon this ill-fated frontier.

Hoping soon to see you, or hear from you the results of your late movement upon the northern and eastern border of the theatre of war, with the information obtained by you as to the enemy's late movements and present probable position, that we may concert measures for his speedy overthrow, in which I shall take much pleasure in a cordial co-operation with you, I offer you my best wishes that our joint efforts may tend to a speedy and honorable termination of the war.

My present object is to march from this place by way of the lower bat-

tle-ground on the Withlacoochee, and thence whithersoever any trail or trace of the enemy may be found; and, finally, to return to Fort Brooke, obtain additional supplies, and then move in a direction to Charlotte harbor, not doubting that, after securing the frontier north and east of this place, you will obtain such information of the movements of the enemy as to lead you from this place by the way of Toloc-chopko, on Pease creek, and thence toward Charlotte harbor, where you will find a supply of subsistence and ammunition, under the protection of a United States naval force. At Fort Brooke you will also find similar supplies, sufficient for your return to this place, or, if necessary, to enable you to remain in that quarter with 1,000 or 1,200 men, until you can obtain supplies from New Orleans.

These suggestions are necessarily imperfect; but this must always be the case, more or less, in a war with a people who take no prisoners—who have no fortifications—no intercourse with any other part of the human family—no newspapers, nor any post office or intelligence department. I therefore leave you to act according to the best of your judgment, and the information you may from time to time obtain; proceeding, as I shall proceed, upon the principle that, to find the enemy, we must search for him; and when we find him, we must take or destroy him, or he will assuredly destroy us.

I am, very respectfully your obedient servant.

EDMUND P. GAINES,
Major General commanding.

Brigadier General D. L. CLINCH,
*or the officer commanding on the northeast
border of East Florida, Fort Drane.*

No. 23.

WESTERN DEPARTMENT,
Fort King, Florida, February 22, 1836.

GENERAL: Agreeably to your directions, I observed the battle-ground six or seven miles north of the Withlacoochee river, where Major Dade and his command were destroyed by the Seminole Indians, on the 28th of December last, and have the honor to submit the following report:

The force under your command, which arrived at this post to-day, from Tampa bay, encamped, on the night of the 19th instant, on the ground occupied by Major Dade on the night of the 27th of December. He and his party were destroyed on the morning of the 28th of December, about four miles in advance of that position. He was advancing towards this post, and was attacked from the north, so that on the 20th instant we came upon the rear of this battle-ground about 9 o'clock in the morning. Our advanced guard had passed the ground without halting, when the general and his staff came upon one of the most appalling scenes that can be imagined. We first saw some broken and scattered boxes, then a cart, the two oxen of which were lying dead, as if they had fallen asleep, their yoke still on them. A little to the right one or two horses were seen. We then came to a small enclosure made by felling trees in such a manner as to form a triangular breast-work for defence. Within the triangle, along

the north and west faces of it, were about thirty bodies, mostly mere skeletons, although much of the clothing was left upon them. These were lying, almost every one of them, in precisely the position they must have occupied during the fight—their heads next to the logs over which they had delivered their fire, and their bodies stretched with striking regularity parallel to each other. They had evidently been shot dead at their posts, and the Indians had not disturbed them, except by taking the scalps of most of them. Passing this little breastwork, we found other bodies along the road, and by the side of the road, generally behind trees, which had been resorted to for covers from the enemy's fire. Advancing about 200 yards farther, we found a cluster of bodies in the middle of the road: these were evidently the advanced guard, in the rear of which was the body of Major Dade, and to the right that of Captain Frazer. These were all doubtless shot down on the first fire of the Indians, except perhaps Captain Frazer, who must however have fallen very early in the fight. Those in the road and by the trees fell during the first attack. It was during a cessation of the fire that the little band still remaining (about thirty in number) threw up the triangular breastwork, which, from the haste with which it was constructed, was necessarily defective, and could not protect the men in the second attack.

We had with us many of the personal friends of the officers of Major Dade's command, and it is gratifying to be able to state that every officer was identified by undoubted evidence. They were buried, and the cannon, a six-pounder, that the Indians had thrown into a swamp, was recovered and placed vertically at the head of the grave, where it is to be hoped it will long remain. The bodies of the non-commissioned officers and privates were buried in two graves, and it was found that every man was accounted for. The command was composed of 8 officers and 102 non-commissioned officers and privates. The bodies of 8 officers and 98 men were interred, four men having escaped, three of whom reached Tampa bay: the fourth was killed the day after the battle.

It may be proper to observe that the attack was not made from a hammock, but in a thinly-wooded country, the Indians being concealed by palmetto and grass, which has been since burnt.

The two companies were Captain Frazer's, of the 3d artillery, and Captain Gardiner's, of the 2d artillery. The officers were Major Dade, of the 4th infantry, Captains Frazer and Gardiner, Second Lieutenant Basinger, Brevet Second Lieutenants J. E. Henderson, Mudge, and Keais of the artillery, and Doctor J. S. Gatlin.

I have the honor to be, with the highest respect, your obedient servant,

E. A. HITCHCOCK,

Capt. 1st Infantry, acting Inspector General.

Major General EDMUND P. GAINES,

Commanding Western Department, Fort King, Florida.

No. 24.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort King, Florida, February 22, 1836.

SPECIAL ORDER, No. 13.

1. Lieutenant Colonel William S. Foster, of the 4th regiment of infantry, with the effective force of his regiment present, will proceed to Fort Drane, Auld Lang Syne, and procure, from the officer in command thereof, fourteen thousand rations of salted pork, and fourteen thousand rations of hard bread or flour, with a proportional quantity of salt, with which he will return to this post, with as little delay as practicable. Colonel Foster will take with him all the public horses and carts at this post. Should these, together with the horses and light carts, or wagons, he may be able to procure at Fort Drane, be insufficient to transport the number of rations above specified, he will return with such number as the means of transportation afforded him will allow.

2. Captain Shannon, assistant quartermaster, will accompany Colonel Foster, and will procure from the quartermaster at Fort Drane, or otherwise, if practicable, twenty-five horses for this command. He will then take such measures as he may deem most expedient to forward provisions and quartermaster stores to the different points designated in his instructions from the Quartermaster General.

3. Lieutenant John H. Allen, of the 3d artillery, will, at the same time, proceed to join his company at Fort Drane.

By order of Major General Gaines:

GEORGE A. McCALL,

Aid-de-camp, acting Assistant Adjutant General.

No. 25.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort King, Florida, February 26, 1836.

SPECIAL ORDER, No. 15.

Lieutenant G. H. Talcott, acting quartermaster, will purchase three horses, to be used in drawing the field-pieces in possession of the battalion of artillery under the command of Captain F. S. Belton, 2d artillery.

By order of Major General Gaines:

GEORGE A. McCALL,

Aid-de-camp, acting Assistant Adjutant General.

No. 26.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort King, Florida, February 26, 1836.

SPECIAL ORDER, No. 16.

Lieutenant G. H. Talcott will furnish, on the requisition of Lieutenant Colonel Twiggs, commanding the light brigade, such articles as may be necessary for the troops under his command.

By order of Major General Gaines:

GEORGE A. McCALL,

Aid-de-camp, acting Assistant Adjutant General.

No. 27.

HEADQUARTERS, WESTERN DEPARTMENT,

Camp Izard, February 28, 1836.

SPECIAL ORDER, No. 17.

Lieutenant and Adjutant Buchanan, of the 4th infantry, will perform the duties of brigade major of the light brigade, until the recovery of Lieutenant and Brigade Major Izard from the wound received this morning.

By order of Major General Gaines:

GEORGE A. McCALL,

Aid-de-camp, acting Assistant Adjutant General.

No. 28.

HEADQUARTERS, CAMP IZARD,

*On the right bank of the Withlacoochee, 2 miles west of
General Clinch's battle-ground, February 28, 1836.*

GENERAL: I take much pleasure in stating to you that I have reason to believe I have now near me the principal force of the Seminole Indians, with their black vassals and allies. I, yesterday afternoon, after halting my reserve and rear guard, with my baggage-train, in the upper pine woods, near the encampment north of the battle-ground, proceeded with the remaining part of my force to the Withlacoochee, with a view to inspect and reconnoitre, in person, the adjacent section of the river, preparatory to my intended crossing; which I had designed to attempt this morning. I had been at the river only long enough to examine 250 or 300 yards about and above the usual crossing-place, when the enemy commenced a spirited firing upon my party, and kept it up with the war-whoop for half an hour. The fire was of course returned.

Having determined this morning, in consequence of the thick woods on the opposite side of the river, to extend my examinations to this point, at which I learned there were open pine woods on both sides of the river, I accordingly marched with my whole force to this place, where I was promptly met by the enemy, whose force appears to have increased very considerably in the course of an hour or two. The river at this place is deemed to be about as wide, but much deeper and less rapid than at the first-mentioned place, with open pine woods on both sides. Neither of the places is fordable. My reconnoissances, in consequence of the narrowness of the river, and the impossibility of finding materials for promptly bridging or rafting the stream, have resulted in the loss of two of the Louisiana volunteers killed and ten volunteers and regulars wounded. Among the latter, I deeply lament to find the gallant Lieutenant Izard, of the dragoons, dangerously.

Being convinced that the principal force of the enemy is now assembled before me, and not doubting that their women and children are placed in a large cypress swamp within a few miles of this place, and that an immediate movement of a force equal or nearly equal to that now with me, consisting in part of mounted men, would enable us to put an end to the war in the next ten days, by a combined and simul-

taneous movement against them, I have deemed it my duty to propose to you such a movement, should the forces expected at Fort Drane have arrived; otherwise, the force there on the 22d would, I think, be sufficient; but this is doubtful, and the case is one of too much importance to leave the question of force at all in doubt. In the expectation of this co-operation, I shall endeavor to amuse the enemy in completing my boats and preparing to cross; but I shall not cross until I hear from you.

In any event, I request of you six thousand rations of pork, and flour, and sugar, with the quartermaster's stores which follow: two whip-saws, two cross-cut saws, two hand-saws, six adzes, six froes, augers assorted, four broadaxes, two iron wedges, two hundred iron spikes, and, if possible, two field-pieces, with one hundred and fifty rounds canister and fifty round shot, ten thousand musket cartridges.

Killed—Zeno Bouillie, Valentine Beck.

I have the honor to be, your obedient servant,

EDMUND P. GAINES.

Brigadier General CLINCH,

*or officer commanding the U. S. troops assembling at
Fort Drane, East Florida.*

P. S.—The forces from Fort Drane should cross the Withlacoochee at the ford eight or ten miles above the battle-ground, or at the point, and move down on the left bank of the river to this place.

No. 29.

HEADQUARTERS, CAMP IZARD,

*Two miles west of General Clinch's battle-ground,
February 29, 1836.*

GENERAL: I last night stated to you, by express, the occurrence of my meeting the Indians on my arrival at this place, suggesting the expediency of an immediate co-operation on the part of the disposable force under your command, under the strong conviction that, by such co-operation, we should be able in a few days to bring the war to a close, having been convinced that the principal force of the enemy is assembled near me on this river. The occurrences of the day confirmed me in the opinion I then expressed to you.

Having occupied myself in preparing a small work to command the crossing-place of the river, and making canoes for the purpose of constructing a bridge, I had not deemed it necessary to strengthen my breastworks, not having apprehended that the enemy would have the temerity to attack me in my position. In this conclusion, however, I have been disappointed. At ten o'clock this morning, a spirited and vigorous attack was made by the enemy on three sides of my encampment, which continued two hours, with little or no intermission: in the course of which they frequently approached so near to my left flank, commanded by Adjutant General Smith, of the Louisiana volunteers, as to wound several men on the opposite flank—a distance of two hundred yards. They were however repulsed, I have reason to believe, with considerable loss.

The loss sustained by the force of my command was, one sergeant killed, and one officer (Lieutenant Duncan) and ten men wounded of the regulars, and one officer and twenty men wounded of the volunteers. The troops having been particularly instructed not to throw away their fire, or to fire without correct aim at a short distance, I was happy to find that the order was strictly attended to, and, consequently, but little ammunition was expended. It is impossible to say, with any precision, what was the enemy's force; but the officers best acquainted with the service concur with me in opinion that it was not less than 1,500. From the foregoing facts, I have no doubt the principal force of the enemy is now in this vicinity; that they are sensible of the desperate situation in which they have placed themselves; and that their temerity will prompt them to make a resistance commensurate with the circumstances in which they find themselves.

I have abstained and shall abstain from a sortie 'until I hear from you, in the expectation that this course will contribute to keep them together, whilst a sortie might tend to disperse them. I am now satisfied a movement directly to this place will be more advisable than to attempt to cross the Withlacoochee higher up, as suggested in my letter of yesterday. I am, moreover, of the opinion, that if mounted men can be procured in the course of a few days, your force should not move from Fort Drane without this description of troops. I repeat my request, that I may be furnished six thousand rations of flour, pork, and sugar, five bushels of salt, some corn, with tools to build block-houses, two field-pieces, one hundred and fifty rounds of canister and fifty of round-shot, ten thousand musket-ball cartridges, with as many light wagons as can be spared, as my wounded are increasing daily, and my horses decreasing.

I have the honor to be, &c.

EDMUND P. GAINES.

To General D. L. CLINCH,

*or officer commanding troops assembled at
Fort Drane, Auld Lang Syne.*

No. 30.

HEADQUARTERS, WESTERN DEPARTMENT,

Camp Izard, on the Withlacoochee, March 9, 1835.

SPECIAL ORDER, No. 18.

Lieutenant Colonel D. E. Twiggs, of the 4th infantry, will repair to New Orleans and resume command of the post. Until otherwise directed, he will make occasional visits of inspection to the military posts in his immediate vicinity.

By order of Major General Gaines:

GEORGE A. McCALL,

Aid-de-camp, acting Assistant Adjutant General.

No. 31.

ADJUTANT GENERAL'S OFFICE,

Washington, March 10, 1836.

SIR: Your communication, dated Fort King, February 22, reporting your arrival at that post with the regular and volunteer force under your command, (number not stated,) has been submitted to the General-in-chief, the Secretary of War, and by him to the President. Without determining, at this time, on the circumstances which induced you to repair with a considerable volunteer force from Louisiana to Florida, and subsequently to Fort King, the President directs that you will be pleased to report, for the information of the Executive, the circumstances and reasons which have prompted your recent movements in Florida; especially as regards the plan of operations detailed in your despatch to General Clinch from Fort King, under date of February 22, 1836, as seen by the *copy* this day received through Major General Scott, and to him forwarded by General Clinch—the said despatch to General Clinch being considered by the President as interfering with the previous plan of operations in Florida, and the command of the troops in that quarter, which, by the orders of the President, had, in January, been assigned to Major General Scott, as you have already been apprized.

I am further directed respectfully to request that you will be pleased to state why you did not report your arrival at Tampa bay, the force there assembled under your command, the condition of the service in general at that post, as well as any intelligence respecting Indian affairs, &c., as circumstances at the time would have enabled the commanding officer to communicate, and as required by the regulations.

I respectfully enclose, herewith, for your information, a copy of my letter to General Arbuckle of this date, by which you will see that, in your absence, he has been ordered to the western frontier of Louisiana.

I am, sir, with great respect, your obedient servant,

R. JONES,

Adjutant General.

Major General GAINES,

U. S. Army, Tampa bay, via Fort King, Florida.

No. 32.

HEADQUARTERS, WESTERN DEPARTMENT,

Fort Izard, on the Withlacoochee, Florida, March 9, 1836.

ORDER No. 7.

1. Called to East Florida by the savage massacres and conflagrations of the 28th December and the following month, the commanding general hastily collected in Louisiana the forces which accompanied him from that patriotic State. These troops, in the short space of thirty-six days, have marched by land and water nearly eight hundred miles, one hundred and forty of which was through the country occupied by the enemy, whose principal force they have met, beaten, and forced to sue for peace.

2. These important objects of the campaign having been accomplished with the hearty and cordial co-operation of Brigadier General Clinch, (to

whose sound judgment the defence of this frontier had been wisely confided, and by whose gallantry the enemy had been chastised on the 31st of December, and since held in check as far as his limited means would allow,) the troops from Louisiana are placed under his command, in order to guard against the known faithlessness of the enemy until the arrival of the forces under the officer charged with the diplomatic arrangements of the War Department. Whenever and as soon as that officer shall mature his plan of operations, and accomplish the duties assigned him, the forces from Louisiana will return to New Orleans.

3. The commanding general cannot, consistently with his views of propriety, take leave of the troops by whom he has been so manfully sustained, without tendering them his grateful acknowledgments for the constancy and courage with which they have performed every duty, and borne privations, the recital of which would not fail to command the admiration of the virtuous and wise of every section of the republic. The officers and soldiers of the whole of these forces (including the artillery from Tampa bay) acting as a light brigade, under command of Lieutenant Colonel Twiggs, of the 4th infantry, have performed their duty so much to the satisfaction of the general, that he cannot discriminate between the relative claims of corps, of officers, or other individuals, without the risk of invidious distinctions: all did their duty cheerfully and gallantly; and when it became necessary to meet the question whether to eat the meat of their own horses or to abandon an important position, all cheerfully preferred this unpleasant subsistence to any movement that would endanger the frontier; the horse-meat was accordingly eaten by officers and men, until the enemy was beaten and sued for peace. A timely supply of provisions arrived, escorted by the brave Georgians, Floridians, and regulars, under General Clinch, at the moment the pacific propositions of the enemy were in the act of being answered. The Indians were fired on by the general's light troops before they could be notified of the object of their being near the camp. They have since disappeared.

4. The general deeply regrets the fall of First Lieutenant J. F. Izard, of the dragoons, acting brigade major, and in command of the advance guard. He fell at the head of his corps, and, though mortally wounded, had the heroic presence of mind to order, "Keep, your positions, men, and lie close." Second Lieutenant Duncan, of the 2d artillery, was slightly wounded; Captain Sanders, commanding the friendly Indians, was severely wounded; Captain Armstrong, of the United States transport schooner *Motto*, was slightly wounded. The two last-named officers were in the advance, where their services had been highly useful during the march. Lieutenant Ephraim P. Smith, of Captain Williams's company of Louisiana volunteers, received three wounds. This officer and twenty-nine non-commissioned officers and soldiers of other companies of the regiment evinced their gallantry by their good conduct, as well as by their honorable wounds. The general is convinced that he never commanded a finer corps; its chief would do honor to any service.

The officers of the medical department merit the approbation of the general for the attentive and skilful manner in which their duties were discharged.

List of killed and wounded.

Killed—First Lieutenant J. F. Izard, dragoons	-	1
“ Sergeant F. Dunn, of the 2d artillery	-	1
“ Private Z. Bolie, of Louisiana volunteers		1
“ “ Val. Beck,	- - -	1
“ “ Henry Butler	- - -	1

Total	- - -	<u>5</u>
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Wounded—of officers, non-commissioned officers and privates :

2d artillery	- - -	8
4th infantry	- - -	8
Louisiana volunteers	- - -	30

Total	- - -	<u>46</u>
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By order of Major General Gaines :

GEO. A. MCCALL,
Aid-de-camp, acting Assistant Adjutant General.

No. 33.

HEADQUARTERS, WESTERN DEPARTMENT,
Camp Sabine, July 4, 1836.

SIR : I received, on the 25th, at Pensacola, on my way to this place, your letter of the 10th of March.

I have delayed replying until now, from a firm conviction that my letters of the 15th and 25th of January, and 6th of February, to you, with those of the 2d, 22d, 28th, and 29th of February, and 2d of March, to General Clinch, with my orders and special orders of the 18th of January to the 9th of March, 1836, inclusively, reported to you by my acting assistant adjutant general, for the information of the proper authorities, would fully exculpate me from the imputations of General Scott, that I had “*interfered with his command,*” or “*disturbed his plan of operations,*” &c. ; more especially as the complainant’s accusations were not deemed to be of sufficient importance for me to be furnished with a copy. But, having recently seen the attacks made on me, though the newspaper called the “*Globe,*” and some other papers of equal respectability, and *of all political parties*, since the 1st of April last, purporting to be from the pen of that officer, or from his dictation or sanction, aided by the Quartermaster General—a franking bureau officer of the War Department—these insidious publications assure me that I am again wantonly assailed. These combined attacks suggest to me the propriety of making, for the information of the proper authorities, the remarks and explanations which follow, and which I deem necessary and proper, in vindication of my conduct, my movements, and my measures, in connexion with the war in East Florida, between the 15th of January and the 9th of March last—a task which I was more than willing to abstain from, or leave to others, as I could not, consistently with my own self-respect, and justice to my

command, repel the calumnious accusations, without calling in question the opinions of high public functionaries whose judgment and patriotism I had long sincerely respected; nor, indeed, without seeming disposed to join in an acrimonious controversy, which nothing short of an order from the President or the absolute necessity of *self-defence* could prompt me to do.

The Order No. 7 of the present year, requiring General Scott to repair to the left wing of my department, was never seen by me until my arrival at Fort King, the 22d of February. I state this fact simply because it is *a fact*—hitherto, I apprehend, unknown at your office—but it is a fact to which I attach little or no importance. Had I received this order at Pensacola, I should have viewed it as a measure of *the Secretary of War*, taken without a full knowledge of the progress of the war upon that frontier, and of the circumstances which had rendered my movement to Florida proper; and that, therefore, my movement thither ought to continue until I should feel assured that the President was apprized of all the material facts bearing upon the subject; and more especially *until the officer authorized to enter upon that part of my command assigned to him, and which formed the principal theatre of the war, should make his appearance in person upon that theatre of the war*, unless, indeed, my attention had been called to other and apparently more important military operations, also *in actual war*, than those which called me to East Florida.

This view of the subject is based upon an essential principle of military law, derived from the laws of nature, and incorporated in our institutions—a principle sustained by the ablest writers of all enlightened nations to whose works I have had access—a principle without the strict observance of which no nation whose geographical limits exceed twenty miles square could be successfully defended—a principle deeply interwoven with the highest attributes of *sovereignty* and of *self-government*, namely, *self-defence* and *self-preservation*, as a nation or a state; or, in other words, *PROTECTION—IMMEDIATE, INSTANTANEOUS PROTECTION, to the exposed feeble members of the community from savage war*. Yes, sir, *immediate, instantaneous protection* by the military officer intrusted with the command of the particular section of country threatened with savage attack, until relieved *before the enemy* by the new commander.

Let us look into a few of the principal features of the case in question, and see what would probably have been the effect of a contrary rule of conduct on my part. In command of the western department, I had met at New Orleans intelligence of a great and unlooked-for disaster having occurred upon the left wing of my department, far distant from the seat of the Federal Government, from whence alone could I hope to receive new orders, or special instructions more applicable to the case, in all its bearings, than the orders of the President embraced in my commission to serve the United States diligently as a general officer, with the orders which he had given me *to command the western department*. An important, white settlement within my department was reported to be *over-run, sacked, and burnt*—a United States agent of Indian affairs, and eight valuable officers, and ninety-eight faithful soldiers, with many worthy frontier citizens, killed, and their property stolen or destroyed. And I was aware that most of the neighboring military posts, namely, Forts Brooke, King, Drane, and Key West, all within my military department, were

without any other works of defence than such as an efficient force of 500 men might have taken and destroyed in a few hours, with little loss or risk on their part; the garrisons of two of those posts (Fort King and Key West) being insufficient for their defence. I was, moreover, apprized that there were but about 600 troops of the regular army at that time in Florida, and these were separated by a wilderness supposed to be occupied by the enemy, comprehending near 20,000 square miles, extending nearly 250 miles from north to south, and from 120 to 40 miles from east to west, with our 600 regulars stationed at the opposite angles and sides of this extensive wilderness, *without disposable force sufficient to ensure a concentration at any one important vulnerable point*, from one side of the wilderness in question to the other, without the most imminent danger of having such force destroyed in its movement to the point of concentration. The destruction of the brave but unfortunate Major Dade, with his heroic officers and men, affords an impressive lesson upon this view of the subject, which no prudent American, soldier or citizen, should ever lose sight of. Under these circumstances, what was the duty of the commander of the western department? What, I ask, was the proper course for me to pursue? These questions may be most readily answered by asking another, What had I promised upon my oath to do? I had promised, upon my oath prescribed by law, "to bear true faith and allegiance to the *United States of America*, and to serve them *honestly and faithfully* against their enemies or opposers whomsoever, and to observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the Rules and Articles of War."

I had with me my sword and my commission, with the orders of the President of the United States to "command" this department. Now, it is well known *that for me to command* a military department, or any particular section of country upon the frontier, great or small, is, in a plain military sense, *so to order and employ the men and means confided to my direction as to protect our own people* of the United States upon that section of frontier "against their enemies or opposers whomsoever," as set forth in the afore-mentioned oath; *and, if it be in time of war, to continue so to command until duly relieved by the new commander, in his own proper person, and on the theatre of the war.*

In failing to comply with this sacred injunction, I well knew that I might thereby have suffered the enemy to kill great numbers of the citizens and troops, in addition to those already slain within the limits of my command, and burn their houses, and take their property. It was my bounden duty, therefore, without waiting for *new orders*, or special instructions, to collect together any disposable force found within my department which I might deem sufficient to enable me promptly to strike at the enemy, and, if possible, subdue them, or check their devastations, until the President should have notice of them, and of my efforts to arrest them, and then give such new orders as he might think fit.

But it is contended—principally by those, indeed, who have proven themselves to be better qualified for the quiet vocation of a writing-desk than the turbulent scenes of an Indian war—that I ought to have abandoned the expedition at Pensacola, because I received, on my arrival at that city, your letter notifying me—not that General Scott had actually arrived at the theatre of the war in Florida, *but that he had been ordered thither*

by the Secretary of War! But little reflection is necessary to see the fallacy of this *closet-view* of the subject. I had embarked, pursuant to my letter of the 2d of February, addressed "to General Clinch, or the officer commanding the forces assembling on the northeast border of East Florida," with a view to *co-operate* with that officer in subduing the enemy. I had, moreover, given a pledge to the principal force then with me (the Louisiana volunteers) that I would *not require them to go farther than I would myself go, and that I would stand by them as long as they would stand by me, in bringing the war to an honorable close.* I had thus promised, on the 2d of February, with a force of 700 men, so to co-operate; this force had been fortunately increased, before the embarkation was effected, to near 1,100 men. With this very respectable force embarked, and in its movement for Tampa bay, and within two days' march (*by steam*) of that place, I received at Pensacola the *notification* from you that General Scott *had been ordered by the Secretary of War* to that part of my command to which I was, under the above-mentioned circumstances, destined. But what assurance could I have had that he was there? Did you notify me that he was at the post of honor assigned to him by the Secretary of War? or that such arrangements had been made as afforded reasonable ground to hope that General Scott *would be prepared soon* to breast the storm of savage desolation, and *protect* from the scalping-knife and firebrand the helpless citizens of both sexes, and of all ages, in that region, who had looked to me as their protector? Did you tell me that Ocoila and his war-chiefs had given to the President satisfactory assurance that they would suspend their massacres and conflagrations until General Scott should *complete his plan of operations*, and be quite ready to subdue them? No such thing is found in your letter. Nor had I any reason, from the previous Northern or Western wilderness movements of that officer, to anticipate any thing like a prompt movement, on his part, into the wilds of Florida, longer than he should find himself and his forces and supplies *propelled by steam power.*

The now well-ascertained fact that General Scott confined his personal operations to the little interior and *unmenaced* places called *Picolata, Volusia, Black creek, and Fort Drane*, and the intervening country within the white settlements, occasionally on board the "little steamboat the *Essayons*," for near six weeks, viz: from about the middle of February until the 25th of March last, without any attempt on his part to search for the enemy, proves clearly—not that I should have abandoned my expedition at Pensacola, at Tampa bay, at Fort King, or at the Withlacoochee, without subduing the enemy—but that I should, if possible, have redoubled my efforts to accomplish this all-important object sooner than I did; and, in place of leaving them under a pledge that hostilities on our part should cease, if, as they proposed, they would peaceably await the arrival of General Scott, and would attend to the terms he should be authorized by the President of the United States to offer them, [a pledge which appears to have been wholly disregarded by that officer.] I had taken them to Tampa bay, completed with them a treaty, in accordance with my own understanding of what was due to them and to the United States—a measure which, I am convinced, I could have accomplished had I not indulged in the fruitless expectation that General Scott would arrive soon after hearing I had found the enemy, and employ himself in the performance of the diplomatic and other duties assigned to him by the

Secretary of War—I have no doubt that I should, by such a movement, have relieved the Florida frontier *for ever* from all further disturbance on the part of these Indians, and should have placed them in a position calculated, in time, to change their inveterate hostility, desperation, and distress, to peace and comfort, if not to a sense of respect and gratitude to our Government and country, for the humanity, care, and kindness extended to them on their having sued for peace. I am well assured that every officer, and every intelligent soldier of the Louisiana volunteers and United States troops, then with me upon the Withlacoochee, will concur in the opinion just now expressed.

From the foregoing views it may possibly be inferred that I may have been disposed to attach blame to General Scott for his readiness again and again to solicit or accept a command which he might imagine was calculated to awaken in my mind sentiments of personal ill-will towards *him*, such as he had some years past labored, through many acrimonious pages, to produce ; but which *time*, with that sort of reflection which naturally results from a *rational use of time*, had so mitigated as to induce me, on the receipt of your letter notifying me that he was ordered into my department, so far from feeling *dissatisfied with him*, to resolve upon availing myself of the occasion to co-operate with him [though junior to me] in a manner which I felt convinced, if he did his duty correctly, would be the means of enabling us, at the proper theatre of action, to settle our disputes forever, *by our joint efforts in battle, to show which of us could do the enemy the most harm and our country the most good* ; and thus, in the best possible way of terminating personal enmities, restore between us that harmony which a proper sense of public duty should prompt every high-minded public functionary to extend to each other, so that the public service should suffer no detriment from their intemperate controversies. I knew General Scott too well to imagine *he had ever solicited such a command, in the swamps of a wilderness, and against an enemy such as he had long held in contempt* ; and I had long since ceased to cherish towards that officer any feeling of hostility. I had triumphed in the controversy which he had forced upon me. I was gratified at my triumph, not so much that *General Scott was vanquished*, as that *the law of the land was maintained and preserved inviolate by the part which I had taken in that controversy*. I shall again triumph—not that I have any claim to that peculiar talent of which some of my reckless enemies may boast—the talent of “*making the worse appear the better cause*,” but that I have the law of the land to sustain me. It is my present purpose to show that the facts of the case were such as to prove that I was constantly within the pale of military law ; I cannot, therefore, but prove myself to have been *in the right*, and that all who are opposed to me *are in the wrong*.

It will be seen, by referring to my letter of the 22d of February, that I expressed my purpose *cordially to co-operate with General Clinch, or the officer commanding the forces then assembling in the northeast border of East Florida, or at Fort Drane*. (I have no copy of my letter near me, and write now from my recollection of its contents, in which I am sure that I am substantially correct.) I also expressed in that letter *my hope that our joint efforts might tend speedily to terminate the war*. This sentiment had been often expressed by me to my staff, and to the field officers of my command. True it is that my letters of the 22d,

28th, and 29th of February, and 3d of March, were all addressed to General Clinch, or the officer commanding at Fort Drane. They were, however, properly so addressed, and they were obviously intended for the information and government of any officer at Fort Drane in command of the force assembling at or near that post, for the defence of that section of the national frontier. Soon after the date of my letter of the 22d of February, I had seen, at Fort King, a letter from General Scott, in which he expressed a desire to know where the principal force of the enemy could be found; that letter was addressed to General Clinch, and dated at Picolata, about the 17th or 18th of February. Not doubting the sincerity of General Scott's *wish to learn where to find the enemy*, I was truly gratified to have it in my power to say that I would search for and endeavor to find their principal force, and would report accordingly. My superior knowledge of the country, and of the enemy, justified me in the hope and expectation that I should be able soon to relieve General Scott's supposed anxiety upon this point: for my movement by the way of the Alafia, and the battle-ground of the lamented Major Dade, where there was most reason to believe the enemy would make their boldest stand, (that having been deemed to be the place of their "greatest good luck," as the interpreters had termed it,) having proven that their principal force was not in that quarter, I could not doubt but that I should find them lower down on the Withlacoochee; and I therefore determined to continue my search in that direction—that being in the direction to Fort Brooke, the only certain point from which I could replenish my supplies of subsistence and ammunition; the *great supply* which should have been at Fort King having been withheld from that place—whether *intentionally* to embarrass my operations, or from *ignorance* of the country, with its wasted resources, or ignorant of their duty on the part of General Scott and his Quartermaster General, I am yet to learn. It is sufficient for me at present to affirm that large supplies *ought to have been*, and might have been, deposited at Fort King and at Fort Drane before the 22d of February, and that I was made to obtain at those posts more than eight days' rations of subsistence, with some one hour's supply of powder and shot or cartridges. Nor could I take this slender supply without leaving those posts with a short allowance, that could not have been justified but upon the expectation of other supplies being on the road near them, and that my movement would contribute to divert from them the attention of the enemy. My plan of operations, embraced in my letter of the 22d of February, was, under all the circumstances of the case, necessary and proper; and it was also proper for me to address my letters intended for General Scott, who, I was aware, was not in my department, to *General Clinch*, an officer known to be on duty within my department, *or the officer commanding the troops assembling at Fort Drane*, where General Scott was expected to arrive in the course of a few days—where, indeed, he ought to have been before the middle of February. General Clinch, who perfectly understood his duty, lost no time in forwarding my letters, or copies of them, to General Scott, at Picolata, who, in place of a prompt response, meeting, in the spirit in which it was offered, my proposition cordially to co-operate with him in bringing the war to a speedy termination, indulged himself in unwarranted animadversions—imputing to me the worst of motives for my movements, and wasting, in unavailing murmurs, that precious moment for action, *by co-operation with me, as I had proposed*,

or, if he preferred it, by *taking the field, and there relieving me*; he appears to have chosen rather to occupy himself in writing accusations against me, and endeavoring to convince the President of the United States that, in my letter of the 22d of February, above referred to, I had been guilty of some criminal interference with his (General Scott's) authority, as stated in your letter of the 10th of March, and more fully stated in the publications dated at Picolata, Black creek, Fort Drane, and more recently at other places, purporting to be from General Scott and other officers of the army, all referring to "the plan of operations," and opinions of General Scott, but so artfully mixed up with plausible *fiction* and *reckless calumny*, slightly tempered with a few grains of truth, as to render it impossible to determine the source whence the mass of matter originated, or to discriminate between *the official, the semi-official, and mere hireling slanders* contained in this mass of matter. I would not willingly, in an official communication to your office, to be submitted to the President of the United States, take any notice of any thing contained in those publications that is not strictly official. If I err in my attempt to discriminate in this particular, I will thank you to enable me to rectify myself, by favoring me *with all the official statements* referring to my conduct in relation to the war in Florida, as I may deem it to be essential to my vindication to show to all who may have entertained a doubt, as I trust I have already shown to the satisfaction of every man of military mind who has heard me or seen my vindication, upon the following points:

1. That the proper *time* and *place* for me to have suspended my movement, and for General Scott to have entered upon the command assigned to him in my department, was *when he should appear in person near me*, at the known theatre of war, and nowhere else, while the war continued.

2. That, until he thus made his personal appearance near me, at the theatre of the war, he had no right whatever to assume the control of a soldier, a public horse, or a public ration, within the limits of my department.

3. That it was my bounden duty to retain the control of every soldier, every horse, every ration, and every other species of public property, necessary to the success of my operations against the enemy, connected with the command of the western department; and, above all, to retain and exercise *the command, honestly and faithfully*, on the part of the United States, "*against their enemies or opposers whomsoever*;" and (in the language of the 62d article of war) give "orders for what is needful to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case;" *and the President had never specially directed it to be otherwise*. The Adjutant General's notification of orders given through him by *the Secretary of War* was insufficient. This was, to say the least, a loose way of carrying into effect a solemn provision of law, embracing a subject of great delicacy and importance to the service—(See the 62d article of war.) When the law expressly forbids a change of command, as in this article of war, *without the special direction of the President*, it is obvious that the spirit of the law cannot be fulfilled without the direction is given *by the President, or in his name*, by a person known to be authorized to communicate the orders or directions of *the President*. The Adjutant General wrote *by order of the Secretary of War*. Nevertheless, if the President himself had given the order that General Scott should enter

upon the duties of the command against the Indians in the western department, whilst I was in the field, I contend that neither myself nor any other officer *engaged as I was in the immediate protection of the frontier, in the pursuit of the enemy, or in action, holding the enemy in check, could, with any propriety, or without a crime, abandon the command merely on receipt of the order, and before the arrival at the place of pursuit, or of action, of the new commander, unless specially directed by the President so to abandon the command!* A direction such as I venture to affirm has never been given in any civilized nation whose military history is known in this country. The theatre of the war was the place—the only proper place—for General Scott to enter upon and for me to abandon the command assigned to him, at any time before the enemy was subdued; but that officer did not choose to make his personal appearance at the Withlacoochee, though cordially and repeatedly invited by me, and challenged by the reiterated reports of my cannon, and by the war-whoop and rifle of the Indians, (as announced to him by General Clinch,) *to partake of the professional banquet* which was regularly spread before me every day from the 27th of February to the 5th of March inclusively. I did not choose *to urge or entreat* him to come, because I have never desired to see an officer or soldier near me in action who did not come cheerfully and promptly, or who was habitually vexing himself in fastidious scruples about *his rank*; and because I had reason to apprehend, from the tardiness of his movement, that a disease which General Scott contracted towards me, in August, 1814, had not been completely cured. It was, probably, that sickness of the spleen, which the best of doctors say “*finds ease only in the misery of others*,” a sickness which a rapid march to the Withlacoochee, with the animating scenes, the martial music, pure air, and simple food of that region of the wilderness has never, to my knowledge, failed to improve the health of troops afflicted with disease of any kind, including cholera. That General Scott was retarded in his movement to the Withlacoochee by some *secret griefs*, I could not doubt. What they were, I know not. They will doubtless be disclosed in due time. He appears to have been content, for a time, with the notion that I had most improperly and prematurely interfered with his command, and disturbed his plan of operations before it had been brought to maturity!—that it was my duty to consider him as entitled to the command, and the entire control of my troops and supplies, before he arrived in person within the limits of my department!—that my subduing the Indians ought to pass for nothing, because *he was especially authorized, and I was not especially authorized, to subdue them!* Childish conclusions, these—too trifling to merit any notice; nor should I have noticed them but for the call made on me to explain and vindicate my conduct; and from the hope that my vindication may be read by the well-meaning officers and men of the volunteers, and the army, who doubt (if indeed any doubt) the propriety of my conduct—who, I am convinced, will readily yield their hasty opinions to the conviction which mature reflection on the subject cannot but produce. They will agree with me that my path of public duty was plain—too plain to be mistaken by any honest soldier or citizen not blinded by the spirit of party, or some other diabolic prejudice or passion; it was, without waiting for *new orders*, to fly as rapidly as possible, with whatever disposable force and supplies might appear to me necessary and proper to arrest the

progress of the apparent growing evil of the late disasters; strengthen the feeble military posts, and, if possible, put an end to the war by a vigorous co-operation with any forces found in that quarter, or otherwise, as circumstances should dictate, according to my own plan of operations, contained in my letters of the 2d, 22d, 28th, and 29th of February, above referred to. The sum and substance of my design was to afford prompt and complete *protection*, that sort of protection which is guaranteed by *the constitution of the United States to the people of the United States*—including the pioneer, the widow, the orphan, inhabitants of the frontier camp or cabin, as well as the polished and wealthy citizen of the great emporium of party politics, of commerce, and fashion; that complete *protection*, the work of which should, if possible, commence before *the work of destruction upon the frontier is finished, or even begun—protection to the living citizen rather than to the ashes of the slain!* My plan of operations was expressed as concisely as I could express it, in my letter of the 22d of February—it was “*to search for the enemy until I should find them, and then beat them, as otherwise he would beat me.*”

4. In carrying into effect this plan of operations, I could suffer no officer to interfere with my troops, military posts, or supplies of any kind, within the limits of my department, until he should appear *in person* within those limits, duly authorized, and apparently *ready and willing* to meet the enemy and protect the people of the United States within my department “*against their enemies or opposers, whomsoever;*” or until I had met and beaten the enemy, and compelled them to sue for peace.

5. I did meet the enemy, and did several times beat them, and finally compelled them to sue for peace. How this was accomplished, I need not now undertake to describe. Grave doubts have been expressed, in some of the publications to which I have referred, as to the *sincerity* of the Indian chiefs in suing for peace, upon which is supposed to rest the fact of their having been subdued. I am willing to leave the issue of these questions to the testimony of the officers, and the intelligent volunteer and regular soldiers who served with me, pledging my honor to abide by their concurrent testimony. But I am not willing to be tried and condemned without a hearing, and by persons who were not only not near me, but who have given me good reason to believe that they would have been better pleased at my downfall than at the triumph obtained by me over the enemy; persons who know full well that the final decree at which every enlightened citizen and soldier who investigates the subject must sooner or later arrive, establishing the correctness of my conduct, must virtually fix the seal of condemnation upon theirs. Hence it was that many hours and days of precious time, which should have been devoted to active operations against the Indians, were sacrificed at Picolata and Fort Drane, and other places, to the fabrication of slanderous essays, to forestall and mislead public opinion—to condemn my movements, and cover me with the vilest detraction. The editors of newspapers, hitherto professing friendliness towards me, have been employed as the leading vehicles of this atrocious scheme of slander. Why is this so? I answer, that it is because I disdain to be the man of a political party! I owe allegiance to *the United States of America*, and not to a party. It may be that I did not require my officers and men at the Withlacoochee to take from the enemy as *many lives* as they had, by their savage conduct, forfeited: but where was the bond, or the principle of the laws of war, or of

nations, binding them to give or me to take the life of any one of them after they had raised the white flag, and sued for peace? Their first proposition was made on the evening of the 5th of March. They were then told that if their chiefs would come in the next day they would be heard. They accordingly came with a white flag, on the morning of the 6th of March, when they said, in the most subdued tone and manner, "We do not wish to fight any more; we have lost many of our warriors killed, and others disabled by wounds; we do not wish to lose any more in this way, or otherwise than by sickness, or by the falling of trees; and we desire to make peace." They were told, in reply, that I was not authorized to treat with them, but that I had learned that an officer was on his way, and would soon be there, with authority to treat with them; that, if they wished for peace, they must lay down their arms, or cease to make any further use of them, and stay beyond the Withlacoochee until the officer authorized to treat with them should arrive, and that they must then go wherever he should require them; but that if they should commit any more hostilities, our troops, of which we had many, would kill all of them found with arms in their hands. They then counselled among themselves and their warriors until 4 or 5 o'clock in the evening. The chiefs then returned, and freely assented to my answer to their propositions; the last sentence of which my acting inspector general was, for the second time, explaining to them, when General Clinch arrived in sight, with the troops of his immediate command from Fort Drane, some of whom fired in the direction of the Indians, but at too great a distance to hurt them. They then hastily retreated to the adjoining hammock. They, however, manifested no disposition to violate their engagement, nor do I believe there was an officer or soldier with me who had witnessed their conduct, who entertained a doubt but that they were subdued, and perfectly sincere in the desire they expressed to abstain from further hostilities, and meet General Scott in council *whenever* and *wherever* he might direct. I remained in command, in order to satisfy myself of their sincerity, until the 9th of March, during which time some hundreds of my men were allowed to amuse themselves fishing, for a mile or two up and down the river, without discovering any indication of further hostility on the part of the Indians, some of whom were seen on the opposite side of the river. I, on the 9th of March, turned over the command of the troops then with me to General Clinch, as will be seen by my orders of that date, with a view to repair to this frontier. It is proper here to remark that, in order to obtain accurate information as to the *position* of the chiefs and warriors, and whether their pacific views remained unchanged, after being fired on by the volunteers with General Clinch, I approved the suggestion of General Clinch to send a black interpreter across the river to their camp. He set out on the 8th and returned on the evening of the 10th of March. He reported that the chiefs and warriors had gone up the Withlacoochee, near thirty miles above Camp Izard, to where their families were stationed; and that the chiefs told him they were waiting agreeably to my directions; and that they would be ready in five days to hold a council with the officer expected on for that purpose. General Scott was that officer—who, in place of meeting them in council, and directing them what to do to enable them to obtain peace, and conform to the wishes of the President of the United States—General Scott openly avowed (as I have been informed, and his official letters im-

ply) a determination to pay no regard to my arrangement with the Indians, but to obtain an overwhelming force, and then *annihilate them*. His blustering threats to this effect were probably known to every person, white and black, in and about the house of General Clinch at Fort Drane; and, as some of the black domestics were in the habits of intimacy with the black interpreters, it was more than probable that in this way the threats of the *gallant* general reached the ears of the Seminole chiefs. Nothing, therefore, could be more natural than that they should prepare for self-defence, and self-preservation, against a commander regardless of the pledge made to them by me, his immediate predecessor in command, and his senior; a pledge which could not be disregarded without a gross violation of the laws of nature and of war, which no nation can tolerate, without a positive disregard of the most sacred of her obligations of good faith towards her neighbors. The sequel has proven the fallacy of such threats, and the truth of the proverb that "the battle is not always to the strong, nor the race to the swift."

6. It may be that I did not expose my officers and soldiers, volunteers and regulars, to as much *risk* and *loss* as some of my accusers deem necessary to give *eclat* to a *triumph*! Heaven preserve me, I pray, from that eclat which is won by the useless or wanton sacrifice of those placed under my command! If my accusers have reason to believe, from the testimony of those who ventured to accompany and co-operate with me in battle, that I neglected any important duty to save my own life, or the life of any of my officers or men, it would be strictly correct in them to establish, if possible, such a charge. But, upon this point, as upon all the imputations of General Scott and his franking and writing friends, I hold towards them the attitude of honest defiance. Had the constitution or any other law of the land required it, or had I ordered it, I have not a doubt that every officer and soldier with me at the Withlacoochee would cheerfully have agreed, "if the enemy would stand," to desire them to take the first shot; and would, moreover, have declined the comfort and security of sleeping or fighting behind a breastwork, had not this method of occasional *action* and *rest* been consecrated by the example of our own beloved WASHINGTON, and all other great and good men who have signalized themselves in the defence of our country. I think it more than probable that my brave little army would have subdued the enemy a few days sooner than we did, had I directed them to make a few rapid *sorties*; but I had promised General Clinch to make no sorties until I should hear from him, from an apprehension that a *sortie* would have dispersed and driven off the Indians before the arrival of *mounted force*—the only description of force with which a sortie could have been made with full effect, at the place which I occupied. With the aid of the anticipated mounted force, I had calculated on taking or destroying most of the Indians, and terminating the war in the course of a few days. They were however subdued, and sued for peace, near twenty hours before I heard from General Clinch.—(See my letter to that officer, under date the 29th of February, in which I promised to abstain from making a sortie until I should hear from him.) On the subject of a sortie, however, I was convinced that I should not have succeeded in rendering it effective without the loss of from 50 to 100 of my officers and soldiers; and I have no hesitation in saying that I would not have had twenty of my excellent Louisiana volunteers or regulars recklessly sacrificed, whilst momentarily ex-

pecting the arrival of mounted force, to have had laid at my feet in chains all the Indians in Florida? The troops were, for several days, held in readiness for a *sortie*, and it would have been made on hearing from General Clinch, or in co-operation with his command, had not the Indians sued for peace before he was heard from.

7. Among the numerous calumnies, official and unofficial, I have seen none more absurd than that I was actuated in my movement to Florida by no higher motive than that of a desire to obtain "*laurels*," to which General Scott had superior claims! I feel convinced that those who know me best, know, and will testify, that I have ever been incapable, even while a young subaltern, of that overweening vanity and officiousness which sometimes prompt the weak or the vicious to attempt to rob their brother soldiers of what may be justly their due. Laurels, indeed! The idea of obtaining laurels in an *Indian war*, I have long deemed to be as a *vision*, never to be realized by any known system of operations embraced in the art of war in its supposed improved state, nor otherwise than by watching the movements of the enemy, and profiting by his example of *vigilance, rapidity of movement, and privation of food and rest*. No man acquainted with the sufferings of the frontier people of Florida, possessed of a spark of patriotism or humanity, could, for a moment, be ignorant of the great and only inducement which ought or could have prompted me to make the movement in question. It was obvious to me that protection must be afforded, and quickly afforded, to the bleeding frontier of that neglected Territory, or that her late flourishing settlements would be destroyed, and that delightful region of our national frontier rendered a scene of devastation, disgraceful to the military character of our country, and doubly disgraceful to the officer intrusted with its defence.

I have shown, as I doubt not, to the satisfaction of every man of military mind who will take the trouble to read this letter, that it was my bounden duty, under the circumstances of the case, to collect together the forces embarked at New Orleans on the night of the 3d and the morning of the 4th of February, and, with them, to repair promptly, as I did, to East Florida, and there to employ my best efforts in subduing or holding in check the enemy until the arrival of General Scott *at the theatre of the war*. This being admitted, my right to the entire control of the *subsistence, and horses, and other means of transportation* found within the limits of my department, or such as was on their passage thither, is established beyond the shadow of doubt. Upon what ground, then, could General Scott assert that I interfered with and retarded his operations by taking rations and horses belonging to his command? I affirm that his excuse is baseless, and his assertion untrue. I affirm, moreover, that if the horses and rations which he falsely accuses me of having wrongfully taken, had been forcibly seized by me from one of the posts within the eastern department, and to which I could have no claim—the *number of rations and number of horses in question was too small to delay the movement of General Scott's grand army for more than three days' time*. The whole number of rations taken by me from the day of my arrival at Fort King, the 22d of February, to the day I turned over the command to General Clinch, the 9th March, 1836, inclusively, amounted to less than twelve thousand complete rations, and the number of horses, I am assured, was not more than eight or ten, taken from Forts King and

Drane, (posts of my department,) and less than this number of miserable ponies from Fort Brooke, not one of which had been placed at either of those posts by General Scott, as I have been informed and believe.

His assertion, therefore, that his operations were greatly embarrassed or retarded by my having taken the *rations* and *horses* provided for his command, is not only not true, but is marked with *a reckless malignity, disgraceful to an officer and dishonorable to a man—not to say a gentleman.*

All which is submitted for the information of the President of the United States.

With profound respect,

EDMUND P. GAINES,
Major General commanding.

Brig. Gen. R. JONES,
Adjutant General U. S. A., Washington city.

No. 34.

JACKSON, LOUISIANA,
October 29, 1836.

DEAR SIR : I have the honor of informing you that I received your letter containing a wish that I would make a statement of facts concerning the treaty at the Withlacoochee, in Florida, during our campaign under Major General Gaines.

I will now give you what I understood at that talk.

We, General Gaines's troops, were to cease hostilities, and they, the Seminoles, were to observe a like course of conduct; that we had no right to make a treaty with them, nor they with us, (as their *chief* was not present,) but that they were tired of the war, and did not wish to continue it; and *they* would meet any authorized agent of our Government at the Withlacoochee, at any time they were notified to do so, and hold themselves and warriors in readiness to take into effect any treaty then and so made; they were to recross the river, and await any message sent them, and not to fire a gun until they heard from General Scott, or his agent; and, so far as I know, they kept their part of the agreement. There never was (in my presence) a word said about any line or boundary, and they were informed that the whole country must be left, and that if not peaceably, they would be exterminated; and it was the opinion of every officer with whom I had any conversation, that the war was over, and the Indians willing to remove.

My own opinion is, if General Scott had not moved down on them with his force, they would now have been over the Mississippi.

Believe me, sir, yours,

F. MARKS,

Captain of the Bayou Sara Blues, from Louisiana.

E. A. HITCHCOCK, Esq.,
United States Army.

NEW ORLEANS, *October 9, 1836.*

DEAR SIR: I received your letter in due course of mail, in which you direct my attention to a communication published in the *New York Evening Star* of the 2d ultimo, addressed to M. M. Cohen, Esq., author of a book called "*Notices of Florida and the Campaigns.*" I have not seen the work alluded to, but, previous to receipt of your favor, I had perused the article referred to, cursorily; since then it has claimed my particular notice. It gives me great pleasure, sir, to have it in my power, from a fresh recollection of all that passed at the council whereat I was present with yourself and another officer, to state with confidence, that in every particular in the said communication you have observed a studied accuracy, especially with regard to some leading facts at issue, to wit, that the Indians stipulated to maintain the country with the Withlacoochee river as a boundary line. So far from this being the case, I recollect distinctly that when it was proposed by the Indian chiefs on our first meeting them, that we should "go home where we came from," that you directly remarked that we intended to maintain our position at all hazards, and continue to fight them, if necessary. This, sir, must certainly look like any thing else but yielding to them "the maintenance of the country."

For fear however of prolixity, I will briefly state what took place at the council held by these chiefs in our presence, and leave it for others to draw conclusions. On the occasion of the meeting in council, our camp was hailed the evening previous in a very audible and clear manner, by one of the enemy, which awakened the attention of all. After being answered by Colonel Twiggs, who desired to know what he wanted, the person replied, "We want to make peace with the white men." The colonel directed him to come in the morning, and bear a white flag, if the red men wanted to hold a talk; that he would then hear what they had to say. He consented, departed, and bade us good night.

The morning following the Indians were seen collecting in groups in the rear of our breastwork, and soon after, a deputation from them was discovered advancing slowly and cautiously, displaying a white flag. Adjutant Barrow was ordered to exhibit a white flag from the breastwork in answer, as a token of our promise made the night before, and as an assurance of their safe advance towards the camp. You then sir received instructions from General Gaines to go out to meet them, accompanied by the adjutant and myself, and learn what they had to say. About one hundred and fifty yards distant we received seven chiefs, and seated ourselves on a dry log with them. Jumper, called also the Lawyer, opened and conducted the talk through Abraham, a black chief and interpreter, in a grave and respectful manner, while Occola and the others were listening with the greatest attention. They said they had lost many warriors, and did not wish to fight any more; they wanted peace. They wished time to consult together, and agreed to meet us again in the afternoon. Preparatory to that meeting you had reduced to writing certain stipulations, which, section by section, Abraham the interpreter explained to the others in an earnest and impressive manner, the amount of which was, that they should agree to meet commissioners from the United States, and abide their decision; in the mean time there should be a cessation of hostilities. All present agreed to the terms proposed in a manner which

satisfied us of their sincerity, but asked time to see their Governor, who was some miles distant, which they would do that night, and meet us with him the next day. They then inquired if we had not more men coming; if so, they wished them to be informed of what had taken place, as they had also many warriors on their way to join them: it was then proposed that a certain number of white and red men should go out together, to prevent a hostile meeting between the advancing parties. About this time the Indians who were seated on the ground at a distance rose up, and began to fly, informing their chiefs who were then in council with us, that the white men were coming. We directed them to take their men into a hammock on our right; but before they had all entered General Clinch came up with his command, and fired a few shots upon them, before he could be informed what had been done in council. The next morning they did not appear; but so much confidence had you and I, sir, in their sincerity the day before, that we left the camp together for a walk of observation on the bank of the river. Our men after that amused themselves fishing and bathing in the river, without the least apprehension; and while we remained there, and during the two weeks in camp near Fort Drane, not a rifle was fired. In truth, sir, there was nothing like treachery on their part; and I believe every officer and private considered them sincere, and looked for a speedy termination of the war.

I am, very respectfully, your obedient servant,

GEORGE E. HARRAL,

Late Surgeon, Louisiana Volunteers.

Captain E. A. HITCHCOCK.

P. S.—I have given you a hasty sketch from memory of what took place at the meeting we had with the chiefs; you are at liberty to do with it as you please, either in part or as it now stands. I did hope before this to have had the pleasure of paying my respects to General Gaines, as it has been report that he was coming to our city. I look back with much pleasure on some portion of our campaign together, and shall always entertain the highest respect for the general and his staff, as well as many others. I hope that my communication contains all you require; if not, write me again, and I may supply any omission now made.

H.

Nos. 36 and 37.—Maps of Florida and Camp Izard.

No. 38.

[FROM THE NEW YORK COURIER AND ENQUIRER OF APRIL 2, 1836.]

Affairs in Florida.—The *Savannah Georgian* contains an order issued by General Gaines, giving a history of his campaign in Florida, from which we make the following extracts:

“These troops, in the short space of thirty-six days, have marched by land and water nearly eight hundred miles—one hundred and forty

through the country occupied by the enemy, whose principal force they have met, beaten, and forced to sue for peace.

"All did their duty cheerfully and gallantly; and when it became necessary to meet the question, whether to eat their own horses, or to abandon an important position, all cheerfully preferred this unpleasant subsistence to any movement that would endanger the frontier. The horse-meat was accordingly eaten by officers and men, until the enemy was beaten and sued for peace."

He further says—

"The object for which I set out from Louisiana being accomplished I resign the command of the Louisiana troops to General Clinch, until the arrival of the forces under *the officer charged with the diplomatic arrangements by the War Department*. Whenever and so soon as *that officer* shall mature his plan of operations, and accomplish the duties assigned to him, the forces from Louisiana will return to New Orleans."

The manner in which the war with the Seminole Indians has been conducted, and the injury which the country has sustained in consequence of the jealousy which General Gaines has exhibited towards General Scott, are subjects of general conversation: and although we have ever entertained a high respect for General Gaines, and justly appreciated his services, we should be wanting in our duty as public journalists if we did not pointedly condemn his conduct while at the head of the troops which have been so disgracefully kept at bay on the banks of the Withlacoochee by an enemy inferior in numbers and without any pretension to discipline.

We will not stop to inquire into the *motives* which induced General Gaines to proceed into the Indian country, after he had received official information at Pensacola that General Scott had been selected to conduct the war against the Seminoles, and that *his* services were required on the Mexican frontier. Any person who will read the extract from his general orders, must at once perceive, that while *patriotism may* have been one of the causes for such conduct, yet the moving principle of action with him was a desire to deprive General Scott of any laurels which a successful issue to the campaign might secure to him. We do not say, nor do we believe, that he intended to render the campaign unsuccessful; but we have not a doubt that he was determined to make an effort to put an end to the struggle by a forced march of his own, even at the hazard of thereby frustrating for a time the plans of his superior officer. In this it is now certain he might have succeeded if he had acted with vigor; and if so, he probably would have been held excused by the public, who always look more to the results of military movements than to the objects with which they are undertaken and the foresight and talent displayed in their execution.

That General Gaines proceeded into the heart of the Indian country with nearly five hundred volunteers, and upwards of six hundred regular troops, well disciplined, and commanded by as brave and intelligent officers as can be found in any army, is already matter of history; and it is equally matter of history, that although the Indian enemy did not in fact muster so large a body of warriors, yet at no time did the general himself estimate them at more than fifteen hundred! Admitting for a moment that they were fifteen hundred strong—has it ever happened in the his-

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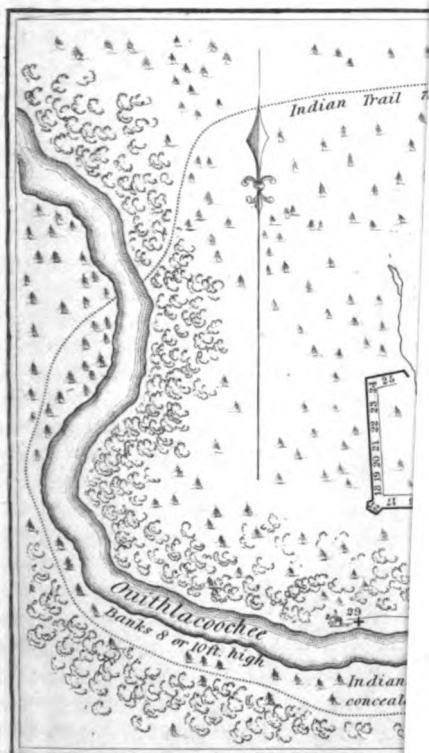
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1	Head Qr. of Maj Gen. Gaines	13	Comp
2	Col. Twiggs	14	
3	Louis. Vol. Col. Smith	15	
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5	Smith's	17	
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tory of our Indian wars; has it ever entered the mind of the most ignorant, to believe it *possible* that with this force, eleven hundred regulars and volunteers should have been held in check, beaten day after day, and finally *compelled* to act upon the defensive and *starve* within a breastwork which they had reared for *defensive* instead of *offensive* warfare? The very conception of such a contingency being within the scope of *possibility*, would, but a few weeks since, have been considered evidence of gross ignorance if not partial derangement; and yet such an event has occurred, and the people in astonishment look at each other and ask in vain for an explanation! They look too, in vain, for any explanation in the letters from the seat of war, or in the orders of the commanding general; unless indeed they are to find such explanation in his *boast* that his command had "met, beaten, and forced the enemy to sue for peace!"

We would respectfully ask, Are such the facts of the case? Do not the official reports of Generals Scott and Clinch, corroborated by all the letters written from the theatre of events, distinctly proclaim that the enemy has not been beaten or forced to sue for peace, but that he is now in force on the *Withlacoochee*, flushed with victory, and ready to make another desperate effort, in consequence of the encouragement he has received in his contests with General Gaines's command? It is notorious that day after day General Gaines was *met* and held in check by an inferior force of Indians; and that instead of sweeping them from the face of the earth and putting an end to the war at once, as he could have done by a gallant attack upon them, he intrenched himself in a hastily constructed breastwork, and there resolved to *starve* in presence of his enemy unless relieved by General Clinch. If his men were too short of provisions to *fight*, how happens it that they succeeded in sustaining themselves for several days in succession within their breastwork? It is not contended that when they entered their breastwork they were in a starving state and too much enfeebled by hunger to meet the enemy; and we cannot but believe that the labor and energies expended in fortifying themselves against the very enemy they sought for the purpose of chastising, would have been far better applied in a brisk pursuit of that enemy and his annihilation. Why, we venture to assert that there was not a solitary officer of the army with the general at the time, who did not condemn his proceeding as most extraordinary and calculated to cover their detachment with dishonor; and we are very sure that there cannot be found in service an officer of any rank or standing, who will have the hardihood to defend this proceeding. We do not doubt the courage of General Gaines—that is as unquestionable as are his former services to the country; but never has it fallen to our lot since the days of *Hull*, to record such disreputable *prudence* at the very moment when an opportunity offered to accomplish the great object of the expedition—the total destruction of his foe. There is not—there cannot be a doubt, that if Gaines had continued to operate on the *offensive* instead of ingloriously retiring into a breastwork, *Oceola* and his warriors would now have been effectually put down, if not exterminated; and that too without his troops suffering as much from hunger as they did in their intrenchments. Had he beaten the enemy, as he says he did, and as he most assuredly could and should have done, he would have been able to supply his command from *their* stores, for they had an abundance of stolen *beeves* with them,

two of which *Oceola* offered him when he treated with and *dictated* terms to his conqueror !

But enough of this disgraceful affair. General Gaines was fortunately rescued from his perilous situation by the timely arrival of General Clinch ; and even then, instead of forcing his enemy to yield, he fled from him with precipitation, and published the account of his *glorious campaign*, which has caused his brother officers to blush for the conduct of the third in rank in the army, and at the same time greatly perplexed the people at large ; who cannot exactly understand why an enemy which has been "beaten and compelled to sue for peace," should still bid defiance to the army under General Scott.

But, extraordinary as has been the conduct of General Gaines in the field, the detail of that conduct as given by himself, is equally open to censure. At Pensacola, General Gaines was officially apprized that General Scott had been selected to conduct this war ; he subsequently met that officer and saw his arrangements to accomplish what *he* had failed in ; and yet he published to the world not only that the enemy had been "beaten and forced to sue for peace," but speaks of his commanding general as "the officer charged with the *diplomatic* arrangements by the War Department." Now, if this means any thing, it means that General Scott was only sent to Florida in a civil capacity—as a negotiator, a minister extraordinary or plenipotentiary, for the purpose of treating with King *Oceola*, while he (General Gaines) was selected to do the fighting ; had accomplished the object of his visit, paved the way for a gracious reception of Mr. Scott, the diplomatist, and bravely borne away the honors of a gallant and chivalrous achievement ! Alas, "how are the mighty fallen !" how unfortunate is it that poor human nature cannot resist the ravages of time, and that the noblest of our species, if permitted to remain too long on earth, necessarily relapse into a second *childhood*.

The following is the intelligence from the seat of war received yesterday :

[FROM THE GLOBE OF MARCH 31.]

"Despatches were received on Tuesday evening at the Adjutant General's office, dated Fort Drane, March 14, which state that General Clinch, with some means of subsistence, and about six hundred men, of whom one hundred and fifty were mounted Floridians, joined General Gaines on the 6th instant. The force under the latter had already been reduced to the necessity of commencing on horses and dogs for their subsistence. The troops remained in their position until the 10th. General Gaines relinquished the command to General Clinch on the 9th, and departed for Louisiana. The troops under General Clinch fell back to the vicinity of Fort Drane.

"It appears that at the moment of the junction of the troops under General Clinch with General Gaines, some communication had been opened with the Indians. The Indians, however, were fired upon by the advancing troops, and afterwards disappeared.

"General Scott reports that he has reason to believe the Indians in the same position they have occupied for some time. General Scott continues, 'I have instructed Brigadier General Eustis, after scouring the country through which he would have to pass to some extent, to place his column in position somewhere in the neighborhood of Pelaklikaha, about the

25th instant. Colonel Lindsay, by the same day, is to be with his force at Chickuchatty, about two marches from Tampa, and means are suggested to each, in order to multiply the chances of communication with each other. The right wing will move hence, say on the 24th instant, to attack in front. This column will pass through Withlacoochee, about half a mile below the late intrenched camp, where there is a good ford, &c.

“The 25th instant is appointed in order that I may be certain of giving Brigadier General Eustis and Colonel Lindsay time to put themselves in positions respectively, and further to give time to the harassed troops lately under the command of Major General Gaines to recruit themselves for effective operations. The same interval is equally important to enable Brigadier General Clinch to receive from Picolata, or Garey’s ferry, a quantity of subsistence, indispensable to give confidence to the movements of the right wing.”

Extract of a letter from General Clinch to General Scott, dated

“FORT DRANE, March 12.

“I returned last night from the Withlacoochee, with the troops composing the right wing, Florida army. The troops turned over to me by Major General Gaines are stationed four miles in advance of this post; and, with a little rest and recruiting, will be a very efficient force, and will add much to the strength of the army of Florida.

“The principal force of the Indians is still on the Withlacoochee, and it is my opinion they will remain there until driven from their stronghold by force.”

The following is an extract from a letter received from Dr. Nourse, dated

“FORT BROOKE, TAMPA BAY,

“March 16, 1836.

“We march in a few days for Fort King, for the purpose of joining General Scott. Colonel Lindsay, of the army, arrived since my last, with eight hundred Alabama volunteers, making the force at this post at present about one thousand two hundred.”

[FROM THE RICHMOND ENQUIRER OF MARCH 16.]

“There is every reason to believe that Powell (Oceola) remains with his people in the same neighborhood. This is most fortunate for Scott’s operations. On the 25th, Eustis, with 1,700 men, would be at Pelaklik-aha, on the road from Tampa to Fort King; and Colonel Lindsay had been expected to be at Chickuchatty, nearer to Tampa, with about 800 men. There is too much reason to fear that the dispersion of the 700 troops from Alabama would embarrass this part of the arrangement. General Scott could not, by the 16th, have heard of this unfortunate *contre-temps*. Clinch, on the same day, (the 25th,) would be back on the Withlacoochee, with about 1,800 men. About 400 of Clinch’s wing had been left by General Scott on the St. John’s, but they would be up in time. Whilst Scott attacks them in front, on the one side, Eustis and Lindsay were to close in the rear, not only to aid the engagement, but to prevent their escape to the southeast. If the Indians remain in their pres-

ent position, and every body believed that they would, the great stroke was expected to be given about the 28th, (yesterday,) and some smaller bodies would then remain to be picked up. The delay till the 28th was to make it certain that Eustis and Lindsay were in position, and to enable Clinch to receive from Picolata and Garey's ferry the necessary subsistence. All the wagons have gone to those places. The army was in fine spirits, and Gaines's troops recovering fast from their recent sufferings. If General Scott should succeed in his operations, he expected to be at Tampa bay by the 7th April.

"How far the disappointment in receiving the Alabama volunteers will embarrass the operations of the campaign, it is impossible for us to determine. We have every confidence, however, in the genius and resources of General Scott."

No. 39.

OFFICE OF THE COM. GEN. OF SUBSISTENCE,

Washington, July 1, 1836.

SIR: Yours of the 11th ultimo is received. I feel confident that no exertions on your part have been spared to meet the wishes of this department; and I have to express my entire approbation of all you have done in the performance of your important and arduous duties.

Very respectfully, your obedient servant,

G. GIBSON, C. G. S.

To Lieut. P. MORRISON,
A. C. S., New Orleans.

No. 40.

OFFICE OF COM. GEN. OF SUBSISTENCE,

Washington, September 23, 1836.

[*Extract.*]

I cannot close this communication without expressing to you my thanks for the prompt, correct, and very efficient manner in which you have conducted the arduous duties confided to you by this department for the last eleven years.

Very respectfully, your obedient servant,

G. GIBSON, C. G. S.

To Lieut. P. MORRISON,
A. C. S., New Orleans.

No. 41.

Statement of subsistence stores in the harbor of Tampa bay, on the 31st of March, 1836.

Rations of pork,	-	-	-	-	-	216,750
Rations of flour and hard bread,	-	-	-	-	-	304,423
Rations of coffee,	-	-	-	-	-	340,250
Rations of sugar	-	-	-	-	-	212,875

The amount of small rations on hand, viz : beans, soap, candles, salt, and vinegar, exceeds this statement, and no additional supplies of those articles will be required.

The commanding general no doubt will give you a statement of the number of troops in the field, and the quantity of rations which will be required at this depot. Should, however, an estimate be made for additional complete rations, it will only be necessary for you to furnish pork and flour, or bread.

GOUVERNEUR MORRIS,
First Lieutenant, & A. C. S.

To First Lieut. P. MORRISON,
A. C. S. New Orleans, La.

No. 42.

[FROM THE NEW ORLEANS BULLETIN OF SEPTEMBER 26, 1836.]

HEADQUARTERS, WESTERN DEPARTMENT,
Camp Sabine, July 4, 1836.

SIR: I received, on the 25th, at Pensacola, on my way to this place, your letter of the 10th of March.

I have delayed replying until now, from a firm conviction that my letters of the 15th and 25th of January, and 6th of February, to you, with those of the 2d, 22d, 28th, and 29th of February, and 2d of March, to General Clinch, with my orders and special orders of the 18th of January to the 9th of March, 1836, inclusively, reported to you by my acting assistant adjutant general, for the information of the proper authorities, would fully exculpate me from the imputations of General Scott, that I had "*interfered with his command,*" or "*disturbed his plan of operations,*" &c.; more especially as the complainant's accusations were not deemed to be of sufficient importance for me to be furnished with a copy. But, having recently seen the attacks made on me, through the newspaper called the "*Globe,*" and some other papers of equal respectability, and of *all political parties*, since the 1st of April last, purporting to be from the pen of that officer, or from his dictation or saction, aided by the Quartermaster General, a franking bureau officer of the War Department—these insidious publications assure me that I am again wantonly assailed. These combined attacks suggest to me the propriety of making, for the information of the proper authorities, the remarks and explanations which follow, and which I deem necessary and proper, in vindication of my conduct, my movements, and measures, in connexion with the war in East Florida, between the 15th of January and 9th of March last—a task which I was more than willing to abstain from, or leave to others, as I could not, consistently with my own self-respect, and justice to my command, repel the calumnious accusations, without calling in question the opinions of high public functionaries whose judgment and patriotism I had long sincerely respected; nor, indeed, without seeming disposed to join in an acrimonious controversy, which nothing short of an order from the President, or the absolute necessity of *self-defence*, could prompt me to do.

The Order No. 7 of the present year, requiring General Scott to repair to the left wing of my department, was never seen by me until my arrival at Fort King, the 22d of February. I state this fact simply because it is *a fact* hitherto, I apprehend, unknown at your office—but it is a fact to which I attach little or no importance. Had I received this order at Pensacola, I should have viewed it as a measure of the *Secretary of War*, taken without a full knowledge of the progress of the war upon that frontier, and of the circumstances which had rendered my movement to Florida proper; and that therefore, my movement thither ought to continue until I should feel assured that the President was apprized of all the material facts bearing upon the subject; and more especially *until the officer authorized to enter upon that part of my command assigned to him, and which formed the principal theatre of the war, should make his appearance in person upon that theatre of the war*, unless, indeed, my attention had been called to other and apparently more important military operations, also *in actual war*, than those which called me to East Florida.

This view of the subject is based upon an essential principal of military law, derived from the laws of nature, and incorporated in our institutions—a principle sustained by the ablest writers of all enlightened nations to whose works I have had access—a principle without the strict observance of which no nation whose geographical limits exceed twenty miles square could be successfully defended—a principle deeply interwoven with the highest attributes of *sovereignty* and of *self-government*, namely, *self-defence* and *self-preservation*, as a nation or a state; or, in other words, *PROTECTION—IMMEDIATE, INSTANTANEOUS PROTECTION, to the exposed feeble members of the community from savage war*. Yes, sir, *immediate, instantaneous protection* by the military officer intrusted with the command of the particular section of country threatened with savage attack, until relieved *before the enemy* by the new commander.

Let us look into a few of the principal features of the case in question, and see what would probably have been the effect of a contrary rule of conduct on my part. In command of the western department, I had met at New Orleans intelligence of a great and unlooked-for disaster having occurred upon the left wing of my department, far distant from the seat of the Federal Government, from whence alone I could hope to receive new orders, or special instructions more applicable to the case, in all its bearings, than the orders of the President embraced in my commission to serve the United States diligently as a general officer—with the orders which he had given me *to command the western department*. An important white settlement within my department was reported to be *over-run, sacked, and burnt*—a United States agent of Indian affairs, and eight valuable officers, and ninety-eight faithful soldiers, with many worthy frontier citizens killed, and their property stolen or destroyed. And I was aware that most of the neighboring military posts, namely, Forts Brooke, King, Drane, and Key West, all within my military department, were without any other works of defence than such as an efficient force of 500 men might have taken and destroyed in a few hours, with little loss or risk on their part—the garrisons of two of those posts (Fort King and Key West) being insufficient for their defence. I was, moreover, apprized that there were but about 600 troops of the regular army at that time in Florida, and these were separated by a wilderness, supposed to be occupied by the enemy, comprehending near 20,000 square miles, extending nearly 250

miles from north to south, and from 120 to 40 miles from east to west, with our 600 regulars stationed at the opposite angles and sides of this extensive wilderness, *without disposable force sufficient to ensure a concentration at any one important vulnerable point*, from one side of the wilderness in question to the other, without the most imminent danger of having such force destroyed in its movement to the point of concentration. The destruction of the brave but unfortunate Major Dade, with his heroic officers and men, affords an impressive lesson upon this view of the subject which no prudent American, soldier or citizen, should ever lose sight of. Under these circumstances, what was the duty of the commander of the western department? What, I ask, was the proper course for me to pursue? These questions may be most readily answered by asking another. What had I promised upon my oath to do? I had promised, upon my oath prescribed by law, "to bear true faith and allegiance to the *United States of America*, and to *serve them honestly and faithfully* against their enemies or opposers whomsoever, and to observe and obey the orders of the President of the United States, and the orders of the officers appointed over me according to the Rules and Articles of War."

I had with me my sword and my commission, with the orders of the President of the United States to "command" this department. Now, it is well known *that for me to command* a military department, or any particular section of country upon the frontier, great or small, is, in a plain military sense, *so to order and employ the men and means confided to my direction as to protect our own people* of the United States upon that section of frontier "against their enemies or opposers whomsoever," as set forth in the afore-mentioned oath; *and, if it be in time of war, to continue so to command until duly relieved by the new commander*, IN HIS OWN PROPER PERSON, *and on the theatre of the war*.

In failing to comply with this sacred injunction, I well knew that I might thereby have suffered the enemy to kill great numbers of the citizens and troops, in addition to those already slain within the limits of my command, and burn their houses, and take their property. It was my bounden duty, therefore, without waiting for *new orders*, or special instructions, to collect together any disposable force found within my department which I might deem sufficient to enable me promptly to strike at the enemy, and, if possible, subdue them, or check their devastations, until the President should have notice of them, and of my efforts to arrest them, and then give such new orders as he might think fit.

But it is contended, principally indeed by those who have proven themselves to be better qualified for the quiet vocation of a writing-desk than the turbulent scenes of an Indian war, that I ought to have abandoned the expedition at Pensacola, because I received, on my arrival at that city, your letter notifying me—not that General Scott had actually arrived at the theatre of the war in Florida, *but that he had been ordered thither by the Secretary of War!* But little reflection is necessary to see the fallacy of this *closet-view* of the subject. I had embarked, pursuant to my letter of the 2d of February, addressed "to General Clinch, or the officer commanding the forces assembling on the northeast border of East Florida," with a view to *co-operate* with that officer in subduing the enemy. I had, moreover, given a pledge to the principal force then with me (the Louisiana volunteers) *that I would not require them to go farther than I*

would myself go, and that I would stand by them as long as they would stand by me, in bringing the war to an honorable close. I had thus promised, on the 2d of February, with a force of 700 men, so to co-operate; this force had been fortunately increased, before the embarkation was effected, to near 1,100 men. With this very respectable force embarked, and in its movement for Tampa bay, and within two days' march (by steam) of that place, I received at Pensacola the *notification* from you that General Scott *had been ordered by the Secretary of War* to that part of my command to which I was, under the above-mentioned circumstances, destined. But what assurance could I have had that he was there? Did you notify me that he was at the post of honor assigned to him by the Secretary of War? or that such arrangements had been made as afforded reasonable ground to hope that General Scott *would be prepared soon* to breast the storm of savage desolation, and *protect* from the scalping-knife and firebrand the helpless citizens of both sexes, and of all ages, in that region, who had looked to me as their protector? Did you tell me that Ocoila and his war-chiefs had given to the President satisfactory assurance that they would suspend their massacres and conflagrations until General Scott should *complete his plan of operations*, and be quite ready to subdue them? No such thing is found in your letter. Nor had I any reason, from the previous Northern or Western wilderness movements of that officer, to anticipate any thing like a prompt movement, on his part, into the wilds of Florida, longer than he should find himself and his forces and supplies *propelled by steam-power*.

The now well-ascertained fact that General Scott confined his personal operations to the little interior and *unmenaced* places called *Picolata*, *Volusia*, *Black creek*, and *Fort Drane*, and the intervening country within the white settlements, occasionally on board the "little steamboat the *Essayons*," for near six weeks, viz: from about the middle of February until the 25th of March last, without any attempt on his part to search for the enemy, proves clearly—not that I should have abandoned my expedition at Pensacola, at Tampa bay, at Fort King, or at the Withlacoochee, without subduing the enemy—but that I should, if possible, have redoubled my efforts to accomplish this all-important object sooner than I did; and, in place of leaving them under a pledge that hostilities on our part should cease, if, as they proposed, they would peaceably await the arrival of General Scott, and would attend to the terms he should be authorized by the President of the United States to offer them. [a pledge which appears to have been wholly disregarded by that officer.] I had taken them to Tampa bay, completed with them a treaty, in accordance with my own understanding of what was due to them and to the United States—a measure which, I am convinced, I could have accomplished had I not indulged in the fruitless expectation that General Scott would arrive soon after hearing I had found the enemy, and employ himself in the performance of the diplomatic and other duties assigned to him by the Secretary of War—I have no doubt that I should by such a movement have relieved the Florida frontier *forever* from all further disturbance on the part of these Indians, and should have placed them in a position calculated, in time, to change their inveterate hostility, desperation, and distress, to peace and comfort, if not to a sense of respect and gratitude to our Government and country, for the humanity, care, and kindness extended to them on their having sued for peace. I am well

assured that every officer, and every intelligent soldier of the Louisiana volunteers and United States troops, then with me upon the Withlacoochee, will concur in the opinion just now expressed.

From the foregoing views it may possibly be inferred that I may have been disposed to attach blame to General Scott for his readiness again and again to solicit or accept a command which he might imagine was calculated to awaken in my mind sentiments of personal ill-will towards *him*, such as he had some years past labored, through many acrimonious pages, to produce; but which *time*, with that sort of reflection which naturally results from a *rational use of time*, had so mitigated as to induce me, on the receipt of your letter notifying me that he was ordered into my department, so far from feeling *dissatisfied with him*, to resolve upon availing myself of the occasion to co-operate with him [though junior to me] in a manner which I felt convinced, if he did his duty correctly, would be the means of enabling us at the proper theatre of action to settle our disputes forever, *by our joint efforts in battle, to show which of us could do the enemy the most harm and our country the most good*; and thus, in the best possible way of terminating personal enmities, restore between us that harmony which a proper sense of public duty should prompt every high-minded public functionary to extend to each other, so that the public service should suffer no detriment from their intemperate controversies. I knew General Scott too well to imagine *he had ever solicited such a command, in the swamps of a wilderness, and against an enemy such as he had long held in contempt*; and I had long since ceased to cherish towards that officer any feeling of hostility. I had triumphed in the controversy which he had forced upon me. I was gratified at my triumph, not so much that *General Scott was vanquished*, as that *the law of the land was maintained and preserved inviolate by the part* which I had taken in that controversy. I shall again triumph—not that I have any claim to that peculiar talent of which some of my reckless enemies may boast—the talent of “*making the worse appear the better cause* ;” but that I have the law of the land to sustain me. It is my present purpose to show that the facts of the case were such as to prove that I was constantly within the pale of military law; I cannot, therefore, but prove myself to have been *in the right*, and that all who are opposed to me *are in the wrong*.

It will be seen, by referring to my letter of the 22d of February, that I expressed my purpose *cordially to co-operate with General Clinch, or the officer commanding the forces then assembling in the northeast border of East Florida*, or at Fort Drane. (I have no copy of my letter near me, and write now from my recollection of its contents, in which I am sure that I am substantially correct.) I also expressed in that letter *my hope that our joint efforts might tend speedily to terminate the war*. This sentiment had been often expressed by me to my staff, and to the field officers of my command. True it is that my letter of the 22d, 28th, and 29th of February, and 3d of March, were all addressed to General Clinch, or the officer commanding at Fort Drane. They were, however, properly so addressed, and they were obviously intended for the information and government of any officer at Fort Drane in command of the force assembling at or near that post, for the defence of that section of the national frontier. Soon after the date of my letter of the 22d of February, I had seen, at Fort King, a letter from General Scott, in which he ex-

pressed a desire to know where the principal force of the enemy could be found; that letter was addressed to General Clinch, and dated at Picolata about the 17th or 18th of February. Not doubting the sincerity of General Scott's *wish to learn where to find the enemy*, I was truly gratified to have it in my power to say that I would search for and endeavor to find their principal force, and would report accordingly. My superior knowledge of the country, and of the enemy, justified me in the hope and expectation that I should be able soon to relieve General Scott's supposed anxiety upon this point; for my movement by the way of the Alaña, and the battle-ground of the lamented Major Dade, where there was most reason to believe the enemy would make their boldest stand, (that having been deemed to be the place of their "greatest good luck," as the interpreters had termed it,) having proven that their principal force was not in that quarter, I could not doubt but that I should find them lower down on the Withlacoochee; and I therefore determined to continue my search in that direction—that being in the direction to Fort Brooke, the only certain point from which I could replenish my supplies of subsistence and ammunition; the *great supply* which should have been at Fort King having been withheld from that place—whether *intentionally* to embarrass my operations, or from *ignorance* of the country, with its wasted resources, or ignorance of their duty on the part of General Scott and his quartermaster general, I am yet to learn. It is sufficient for me at present to affirm that large supplies *ought to have been*, and might have been, deposited at Fort King and at Fort Drane before the 22d of February, and that I was unable to obtain at those posts more than eight days' rations of subsistence, with scarce one hour's supply of powder and shot or cartridges. Nor could I take this slender supply without leaving those posts with a short allowance, that could not have been justified, but upon the expectation of other supplies being on the road near them, and that my movement would contribute to divert from them the attention of the enemy. My plan of operations, embraced in my letter of the 22d of February, was, under all the circumstances of the case, necessary and proper; and it was also proper for me to address my letters intended for General Scott, who, I was aware, was not in my department, to *General Clinch*, an officer known to be on duty within my department, *or the officer commanding the troops assembling at Fort Drane*, where General Scott was expected to arrive in the course of a few days—where, indeed, he ought to have been before the middle of February. General Clinch, who perfectly understood his duty, lost no time in forwarding my letters, or copies of them, to General Scott, at Picolata, who, in place of a prompt response, meeting in the spirit in which it was offered my proposition cordially to co-operate with him in bringing the war to a speedy termination, indulged himself in unwarranted animadversions, imputing to me the worst of motives for my movements, and wasting, in unavailing murmurs, that precious moment for *action, by co-operation with me, as I had proposed*, or, if he preferred it, by *taking the field, and there relieving me*; he appears to have chosen rather to occupy himself in writing accusations against me, and endeavoring to convince the President of the United States that, in my letter of the 22d of February, above referred to, I had been guilty of some criminal interference with his (General Scott's) authority, as stated in your letter of the 10th of March, and more fully stated in the publi-

eations dated at Picolata, Black creek, Fort Drane, and more recently at other places, purporting to be from General Scott and other officers of the army, all referring to "the plan of operations," and opinions of General Scott; but so artfully mixed up with plausible *fiction* and *reckless calumny*, slightly tempered with a few grains of truth, as to render it impossible to determine the source whence the mass of matter originated, or to discriminate between *the official*, *the semi-official*, and *mere hireling slanders* contained in this mass of matter. I would not willingly, in an official communication to your office, to be submitted to the President of the United States, take any notice of any thing contained in those publications that is not strictly official. If I err in my attempt to discriminate in this particular, I will thank you to enable me to rectify myself, by favoring me *with all the official statements* referring to my conduct in relation to the war in Florida, as I may deem it to be essential to my vindication to show to all who may have entertained a doubt, as I trust I have already shown to the satisfaction of every man of military mind who has heard me, or seen my vindication, upon the following points:

1. That the proper *time* and *place* for me to have suspended my movement, and for General Scott to have entered upon the command assigned to him in my department, was *when he should appear in person near me*, at the known theatre of the war, and nowhere else, while the war continued.

2. That, until he thus made his personal appearance near me, at the theatre of the war, he had no right whatever to assume the control of a soldier, a public horse, or a public ration, within the limits of my department.

3. That it was my bounden duty to retain the control of every soldier, every horse, every ration, and every other species of public property, necessary to the success of my operations against the enemy, connected with the command of the western department; and, above all, to retain and exercise the *command, honestly and faithfully*, on the part of the United States, "*against their enemies or opposers whomsoever*;" and (in the language of the 62d article of war) give "orders for what is needful to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case;" *and the President had never specially directed it to be otherwise*. The Adjutant General's notification of orders given through him by *the Secretary of War* was insufficient. This was, to say the least, a loose way of carrying into effect a solemn provision of law, embracing a subject of great delicacy and importance to the service.—(See the 62d article of war.) When the law expressly forbids a change of command, as in this article of war, *without the special direction of the President*, it is obvious that the spirit of the law cannot be fulfilled without the direction is given *by the President, or in his name*, by a person known to be authorized to communicate the orders or directions of *the President*. The Adjutant General wrote *by order of the Secretary of War*. Nevertheless, if the President himself had given the order that General Scott should enter upon the duties of the command against the Indians in the western department, whilst I was in the field, I contend that neither myself nor any other officer *engaged as I was in the immediate protection of the frontier, in the pursuit of the enemy, or in action*,

holding the enemy in check, could, with any propriety, or without a crime, abandon the command merely on receipt of the order, and before the arrival at the place of pursuit, or of action, of the new commander, unless specially directed by the President so to abandon the command! A direction such as I venture to affirm has never been given in any civilized nation whose military history is known in this country. The theatre of the war was the place—the only proper place—for General Scott to enter upon and for me to abandon the command assigned to him, at any time before the enemy was subdued; but that officer did not choose to make his personal appearance at the Withlacoochee, though cordially and repeatedly invited by me, and challenged by the reiterated reports of my cannon, and by the war-whoop and rifle of the Indians, (as announced to him by General Clinch,) *to partake of the professional banquet* which was regularly spread before me every day from the 27th of February to the 5th of March inclusively. I did not choose *to urge* or *entreat* him to come, because I have never desired to see an officer or soldier near me in action who did not come cheerfully and promptly, or who was habitually vexing himself in fastidious scruples about *his rank*; and because I had reason to apprehend, from the tardiness of his movement, that a disease which General Scott contracted towards me, in August, 1814, had not been completely cured. It was, probably, that sickness of the spleen, which the best of doctors say “*finds ease only in the misery of others* ;” a sickness which a rapid march to the Withlacoochee, with the animating scenes, the martial music, pure air, and simple food of that region of the wilderness has never, to my knowledge, failed to improve the health of troops afflicted with disease of any kind, including cholera. That General Scott was retarded in his movement to the Withlacoochee by some *secret griefs*, I could not doubt. What they were, I know not. They will doubtless be disclosed in due time. He appears to have been content, for a time, with the notion that I had most improperly and prematurely interfered with his command, and disturbed his plan of operations before it had been brought to maturity! that it was my duty to consider him as entitled to the command, and the entire control of my troops and supplies, before he arrived in person within the limits of my department! that my subduing the Indians ought to pass for nothing, because *he was especially authorized*, and *I was not especially authorized, to subdue them!* Childish conclusions, these—too trifling to merit any notice; nor should I have noticed them but for the call made on me to explain and vindicate my conduct; and from the hope that my vindication may be read by the well-meaning officers and men of the volunteers, and the army, who doubt (if, indeed, any doubt) the propriety of my conduct; who, I am convinced, will readily yield their hasty opinions to the conviction which mature reflection on the subject cannot but produce. They will agree with me that my path of public duty was plain—too plain to be mistaken by any honest soldier or citizen not blinded by the spirit of party, or some other diabolic prejudice or passion; it was, without waiting for *new orders*, to fly as rapidly as possible, with whatever disposable force and supplies might appear to me necessary and proper to arrest the progress of the apparent growing evil of the late disasters; strengthen the feeble military posts; and, if possible, put an end to the war by a vigorous co-operation with any forces found in that quarter, or otherwise, as cir-

cumstances should dictate, according to my own plan of operations, contained in my letters of the 2d, 22d, 23th, and 29th of February, above referred to. The sum and substance of my design was to afford prompt and complete *protection*—that sort of protection which is guarantied *by the constitution of the United States to the people of the United States*, including the pioneer, the widow, the orphan, inhabitants of the frontier camp or cabin, as well as the polished and wealthy citizen of the great emporium of party politics, of commerce, and fashion; that complete *protection*, the work of which should, if possible, commence before *the work of destruction upon the frontier is finished, or even begun—protection to the living citizen rather than to the ashes of the slain*. My plan of operations was expressed, as concisely as I could express it, in my letter of the 22d of February—it was “*to search for the enemy until I should find them, and then beat them, as otherwise they would beat me.*”

4. In carrying into effect this plan of operations, I could suffer no officer to interfere with my troops, military posts, or supplies of any kind, within the limits of my department, until he should appear *in person* within those limits, duly authorized, and apparently *ready and willing* to meet the enemy and protect the people of the United States within my department “*against their enemies or opposers whomsoever;*” or until I had met and beaten the enemy, and compelled them to sue for peace.

5. I did meet the enemy, and did several times beat them, and finally compelled them to sue for peace. How this was accomplished, I need not now undertake to describe. Grave doubts have been expressed, in some of the publications to which I have referred, as to the *sincerity* of the Indian chiefs in suing for peace, upon which is suppose to rest the fact of their having been subdued. I am willing to leave the issue of these questions to the testimony of the officers, and the intelligent volunteer and regular soldiers who served with me, pledging my honor to abide by their concurrent testimony. But I am not willing to be tried and condemned without a hearing, and by persons who were not only not near me, but who have given me good reason to believe they would have been better pleased at my downfall than at the triumph obtained by me over the enemy; persons who know full well that the final decree at which every enlightened citizen and soldier who investigates the subject must sooner or later arrive, establishing the correctness of my conduct, must virtually fix the seal of condemnation upon theirs. Hence it was that many hours and days of precious time, which should have been devoted to active operations against the Indians, were sacrificed at Picolata and Fort Drane, and other places, to the fabrication of slanderous essays, to forestall and mislead public opinion, to condemn my movements, and cover me with the vilest detraction. The editors of newspapers, hitherto professing friendliness towards me, have been employed as the leading vehicles of this atrocious scheme of slander. Why is this so? I answer, that it is because I disdain to be the man of a political party! I owe allegiance to *the United States of America*, and not to a party. It may be that I did not require my officers and men at the Withlacoochee to take from the enemy as *many lives* as they had, by their savage conduct, forfeited; but where was the bond, or the principles of the laws of war or of nations, binding them to give or me to take the life of any one of them after they had raised the white flag, and sued for peace? Their first proposi-

tion was made on the evening of the 5th of March. They were then told that if their chiefs would come in the next day they would be heard. They accordingly came with a white flag, on the morning of the 6th of March, when they said, in the most subdued tone and manner, "We do not wish to fight any more; we have lost many of our warriors killed, and others disabled by wounds; we do not wish to lose any more in this way, or otherwise than by sickness, or by the falling of trees; and we desire to make peace." They were told, in reply, that I was not authorized to treat with them, but that I had learned that an officer was on his way, and would soon be there with authority to treat with them; that, if they wished for peace, they must lay down their arms, or cease to make any further use of them, and stay beyond the Withlacoochee until the officer authorized to treat with them should arrive, and that they must then go wherever he should require them; but that if they should commit any more hostilities, our troops, of which we had many, would kill all of them found with arms in their hands. They then counselled among themselves and their warriors until 4 or 5 o'clock in the evening. The chiefs then returned, and freely assented to my answer to their propositions—the last sentence of which my acting inspector general was, for the second time, explaining to them, when General Clinch arrived in sight, with the troops of his immediate command from Fort Drane, some of whom fired in the direction of the Indians, but at too great a distance to hurt them. They then hastily retreated to the adjoining hammock. They, however, manifested no disposition to violate their engagement; nor do I believe there was an officer or soldier with me, who had witnessed their conduct, who entertained a doubt but that they were subdued, and perfectly sincere in the desire they expressed to abstain from further hostilities, and meet General Scott in council *whenever* and *wherever* he might direct. I remained in command, in order to satisfy myself of their sincerity, until the 9th of March, during which time some hundreds of my men were allowed to amuse themselves in fishing, for a mile or two up and down the river, without discovering any indication of further hostility on the part of the Indians, some of whom were seen on the opposite side of the river. I, on the 9th of March, turned over the command of the troops then with me to General Clinch, as will be seen by my orders of that date, with a view to repair to this frontier. It is proper here to remark that, in order to obtain accurate information as to the *position* of the chiefs and warriors, and whether their pacific views remained unchanged, after being fired on by the volunteers with General Clinch, I approved the suggestion of General Clinch to send a black interpreter across the river to their camp. He set out on the 8th, and returned on the evening of the 10th of March. He reported that the chiefs and warriors had gone up the Withlacoochee, near thirty miles above Camp Izard, to where their families were stationed; and that the chiefs told him they were waiting agreeably to my directions, and that they would be ready in five days to hold a council with the officer expected on for that purpose. General Scott was that officer—who, in place of meeting them in council, and directing them what to do to enable them to obtain peace, and to conform to the wishes of the President of the United States, General Scott openly avowed (as I have been informed, and his official letters imply) a determination to pay no regard to my arrangement with the Indians, but to obtain an overwhelming force, and then *annihilate them*. His blustering threats, to

this effect, were probably known to every person, white and black, in and about the house of General Clinch, at Fort Drane; and, as some of the black domestics were in the habit of intimacy with the black interpreters, it was more than probable that in this way the threats of the *gallant* general reached the ears of the Seminole chiefs. Nothing, therefore, could be more natural than that they should prepare for self-defence, and self-preservation, against a commander regardless of the pledge made to them by me, his immediate predecessor in command, and his senior; a pledge which could not be disregarded without a gross violation of the laws of nature and of war, which no nation can tolerate—without a positive disregard of the most sacred of her obligations of good faith towards her neighbors. The sequel has proven the fallacy of such threats, and the truth of the proverb that “the battle is not always to the strong, nor the race to the swift.”

6. It may be that I did not expose my officers and soldiers, volunteers and regulars, to as much *risk* and *loss* as some of my accusers deem necessary to give *eclat* to a *triumph*! Heaven preserve me, I pray, from that *eclat* which is won by the useless or wanton sacrifice of those placed under my command! If my accusers have reason to believe, from the testimony of those who ventured to accompany and co-operate with me in battle, that I neglected any important duty to save my own life, or the life of any of my officers or men, it would be strictly correct in them to establish, if possible, such a charge. But, upon this point, as upon all the imputations of General Scott, and his franking and writing friends, I hold towards them the attitude of honest defiance. Had the constitution, or any other law of the land, required it, or had I ordered it, I have not a doubt that every officer and soldier with me at the Withlacoochee would cheerfully have agreed, “if the enemy would stand,” to desire them to take the first shot; and would, moreover, have declined the comfort and security of sleeping or fighting behind a breastwork, had not this method of occasional *action* and *rest* been consecrated by the example of our own beloved WASHINGTON, and all other great and good men who have signalized themselves in the defence of our country. I think it more than probable that my brave little army would have subdued the enemy a few days sooner than we did, had I directed them to make a few rapid *sorties*; but I had promised General Clinch to make no *sorties* until I should hear from him, from an apprehension that a *sortie* would have dispersed and driven off the Indians before the arrival of *mounted force*—the only description of force with which a *sortie* could have been made with full effect, at the place which I occupied. With the aid of the anticipated mounted force, I had calculated on taking or destroying most of the Indians, and terminating the war in the course of a few days. They were, however, subdued, and sued for peace near twenty hours before I heard from General Clinch.—(See my letter to that officer, under date the 29th of February, in which I promised to abstain from making a *sortie* until I should hear from him.) On the subject of a *sortie*, however, I was convinced that I should not have succeeded in rendering it effective without the loss of from fifty to one hundred of my officers and soldiers; and I have no hesitation in saying that I would not have had twenty of my excellent Louisiana volunteers or regulars recklessly sacrificed, whilst momentarily expecting the arrival of mounted force, to have had laid at my feet in chains all the Indians in Florida! The troops were, for several days, held

in readiness for a *sortie*; and it would have been made on hearing from General Clinch, or in co-operation with his command, had not the Indians sued for peace before he was heard from.

7. Among the numerous calumnies, official and unofficial, I have seen none more absurd than that I was actuated in my movement to Florida by no higher motive than that of a desire to obtain "*laurels*," to which General Scott had superior claims! I feel convinced that those who know me best, know, and will testify, that I have ever been incapable, even while a young subaltern, of that over-weening vanity and officiousness which sometimes prompt the weak or the vicious to attempt to rob their brother-soldiers of what may be justly their due. Laurels, indeed! The idea of obtaining laurels in an *Indian war*, I have long deemed to be as a *vision*, never to be realized by any known system of operations embraced in the art of war, in its supposed improved state, nor otherwise than by watching the movements of the enemy, and profiting by his example of *vigilance, rapidity of movement, and privation of food and rest*. No man acquainted with the sufferings of the frontier people of Florida, possessed of a spark of patriotism or humanity, could, for a moment, be ignorant of the great and only inducement which ought or could have prompted me to make the movement in question. It was obvious to me that protection must be afforded, and quickly afforded, to the bleeding frontier of that neglected Territory; or that her late flourishing settlements would be destroyed, and that delightful region of our national frontier rendered a scene of devastation, disgraceful to the military character of our country, and doubly disgraceful to the officer intrusted with its defence.

I have shown, as I doubt not, to the satisfaction of every man of military mind who will take the trouble to read this letter, that it was my bounden duty, under the circumstances of the case, to collect together the forces embarked at New Orleans on the night of the 3d and the morning of the 4th of February, and, with them, to repair promptly, as I did, to East Florida, and there to employ my best efforts in subduing or holding in check the enemy until the arrival of General Scott *at the theatre of the war*. This being admitted, my right to the entire control of the *subsistence, and horses, and other means of transportation* found within the limits of my department, or such as was on their passage thither, is established beyond the shadow of a doubt. Upon what ground, then, could General Scott assert that I interfered with and retarded his operations by taking rations and horses belonging to this command? I affirm that his excuse is baseless, and his assertion untrue. I affirm, moreover, that if the horses and rations which he falsely accuses me of having wrongfully taken, had been forcibly seized by me from one of the posts within the eastern department, and to which I could have no claim, *the number of rations and number of horses in question was too small to delay the movement of General Scott's grand army for more than three days' time*. The whole number of rations taken by me from the day of my arrival at Fort King, the 22d of February, to the day I turned over the command to General Clinch, the 9th March, 1836, inclusively, *amounted to less than twelve thousand complete rations; and the number of horses, I am assured, was not more than eight or ten, taken from Forts King and Drane, (posts of my department,) and less than this number of miserable ponies from Fort Brooke, not one of which had*

been placed at either of those posts by General Scott, as I have been informed and believe.

His assertion, therefore, that his operations were greatly embarrassed or retarded by my having taken the *rations* and *horses* provided for his command, is not only not true, but is marked with *a reckless malignity, disgraceful to an officer and dishonorable to a man—not to say a gentleman.*

All which is submitted for the information of the President of the United States.

With profound respect,

EDMUND P. GAINES,

Major General, commanding.

To Brigadier General R. JONES,

Adjutant General U. S. Army,

Washington City.

No. 43.

HEADQUARTERS, WESTERN DEPARTMENT,

Camp Sabine, September 18, 1836.

GENTLEMEN: The occurrences in East Florida during the last winter and spring, and more especially the acrimonious and calumnious publications from the pen of General Scott, or from his sanction or dictation, taken in connexion with the *silence* of the War Department, or, in other words, the *suppression* of my orders and communications in reference to the operations in that quarter under my direction, have combined to place me at that point of *moral responsibility* or moral action, at which longer silence on my part would be criminal.

I am therefore compelled, in self-defence, publicly to vindicate my conduct—not *to seek a paper war*, or any other description of war; but never to shun a war of any kind when necessary in defence of the legacy of *honor* and of *principle* bequeathed to me by our fathers of the revolutionary war, in the midst of which I was born, (March 20, 1777.) But I think I have seen and done too much good service in battle against the enemies of our country, to war with the tools or understrappers of my principal foe. I will do that honor only to the *head* of the cabal arrayed against me, and he only, whoever he is, if he desires it, and will step out of his place of shelter and concealment.

For the purpose of my vindication, I desire to have access to the columns of an independent paper, with an editor who has the moral courage to speak and to write what truth and justice demand. That you can find such an editor near you, I have no doubt—to whom, I pray you, hand the accompanying copy of the first part of my vindication. The residue will be sent to you as soon as it can be copied.

I am, with affectionate respect, your friend,

EDMUND PENDLETON GAINES.

To Messrs. General P. F. SMITH and

Colonel WILLIAM CHRISTY,

City of New Orleans.

Questions by General Gaines to Surgeon General Thomas Lawson.

Question 1st. Did you serve with the Louisiana volunteers in the army under command of Major General Gaines in Florida, in February and March, 1836; and, if so, in what capacity?

Answer. I served with the Louisiana volunteers in the army under command of Major General Gaines in Florida, in February and March, 1836, and in the capacity of lieutenant colonel.

Question 2d. Did you have a conversation with Captain McCall (then aid-de-camp to Major General Gaines) at Pensacola, on the 6th of February, 1836, on the subject of the pledge General Gaines had given to the Louisiana volunteers, and his continuing in command of the troops then on their march (by steam) to Tampa bay; and, if so, did you state to him that the Louisiana volunteers would be dissatisfied if General Gaines relinquished the command?

Answer. I had a conversation with Captain McCall, with Captain Hitchcock, and with General Gaines himself, at Pensacola, on the 6th of February, 1836, in relation to a communication just then received by General Gaines from the Adjutant General's office, notifying him (General Gaines) that General Scott had been ordered to conduct the military operations against the hostile Seminole Indians, and that his (General Gaines's) services might soon be required on the Mexican frontier; and directing him to await further orders in New Orleans. Being the senior officer present with General Gaines, and in the immediate command of the troops with him, I felt myself authorized to give my views touching the obligations incurred by General Gaines's promise of co-operation with General Clinch, and his pledge to accompany the Louisiana volunteers to the scene of action. And I did so to Captain McCall, as well as to General Gaines, in language to the following import: I said that the communication from the Adjutant General's office did not make it imperative on General Gaines immediately to withdraw from the command of the troops; that the order for General Scott to conduct the war in Florida, no doubt, had been given without any knowledge of the arrangements that had been made or were making by General Gaines to take the field; and that, inasmuch as he had, on his own responsibility, raised a respectable military force for the purpose of relieving the threatened military posts and frontier settlements, he ought to press forward to the theatre of the war. In the course of this conversation, I said that General Gaines could lead on his men until he accomplished the object for which he set out, or at least until he met the officer commanding the troops advancing from the eastern side of the peninsula. I moreover stated that, inasmuch as he had pledged himself to the Louisiana volunteers to lead them on to the theatre of the war, they would expect him to accompany them, and would be dissatisfied if he withdrew from the command of the expedition.

Question 3d. Did General Gaines, on his passage from Pensacola to Tampa bay, communicate to you his purpose to co-operate with General Scott, in the event of that officer being found in the field?

Answer. On more than one occasion, I believe, General Gaines observed that his personal feelings towards General Scott should not interfere with his public duties. He stated that he would meet General Scott,

if he found him in the field, in a spirit of conciliation, and would cordially co-operate with him in bringing the war to a close.

Question 4th. Would, in your opinion, any advantage have been gained by a sortie upon the Indians, had one been made from Camp Izard, at any time between the 29th of February and the 5th of March, 1836?

Answer. The concentration of three or four hundred men on any point of the enemy's line would have driven them from their position, and dispersed them, without any material advantage resulting to our cause.

Question 5th. What is your opinion as to the sincerity of the Indians in suing for peace on the 6th of March, 1836, at Camp Izard, on the Withlacoochee?

Answer. It is my opinion, and I believe it was the opinion of the army generally, that the Indians were sincere in their proposition for peace.

Question 6th. Please to state on what grounds your opinion is founded.

Answer. I judge that they were sincere from the manner in which they made the overture, and their conduct during the progress of the negotiation—from the fact that they permitted, for two or three days afterwards, the officers and men to fish and bathe in the river, and to cross to the opposite bank and wander for some distance into the woods—from the message sent by Primus to General Gaines, reiterating their desire to make peace, and their willingness, in five days, to meet him on the Withlacoochee—from the fact that the troops remained in three or four separate encampments for two or three weeks, the men individually passing between the several commands day and night without molestation—and again, from the appearances of Camp Izard, and the grounds around, on the return of the troops under General Scott, when we found every thing in pretty much the same state in which it was left, viz: the canoes that had been made by General Gaines's command uninjured; the slabs gotten out for the bridge or other purposes untouched; and the bodies of the dead undisturbed, which was very uncommon with the Indians.

THOMAS LAWSON.

Sworn to before

S. COOPER, *Judge Advocate,*
Recorder of the Court.

No. 45.

HEADQUARTERS, WESTERN DEPARTMENT,
Camp Sabine, July 20, 1836.

SIR: I did not receive, until last night, the Order No. 37, of which I think myself in duty bound to send you a copy enclosed herewith, marked A, being convinced that you have not been apprized of the fact that this Order, issued, as it appears, by your direction, was suffered, by the person to whom you confided the trust of preparing the Order for the office of distribution, to contain the extra-judicial opinion of General Scott in reference to the command of Camp Izard, on the Withlacoochee.

That General Scott should employ lawless means to palliate his own unofficer-like conduct, to condemn me without even the color of authority, and attempt thus indirectly to foist into an order issued under the supreme sanction of the Executive department of the United States, the

malignant fictions of his own fancy, was to be expected, and was calculated to excite in my mind neither surprise nor concern—as all the evil of such an intrigue on his part would recoil upon himself, and the ill-designed attempt would redound to my honor rather than to my injury. I cannot suppose it to be possible that you have given your sanction to that part of the Order in question referring to the command of Camp Izard, and therefore I am convinced I need only solicit your attention to the subject to ensure its correction, and my relief before the army and my countrymen from the odium which the Order, in its present shape, under your sanction, would imply.

Had I been charged with a crime, and put in arrest, pursuant to the 77th article of war, and tried according to law, and found guilty of having committed a crime in connexion with my command at Camp Izard, or if my official report had been disproved, General Scott and any other officer might very properly refer to the record of the settled case, embracing such crime, and hold it up to the army *in terrorem*, or in palliation of some other established case of crime. But to prejudge me without my having had any intimation from the proper authorities that my conduct at Camp Izard had been called in question, and to obtrude the extra-judicial judgment into orders for the information and government of the army, and thus to forestall the opinion of the army and the nation against me, and in a manner calculated to pollute the streams of public justice, and not only disqualify General Scott himself from sitting in judgment in any such case against me, but tending to bias, mislead, and disqualify such officers of the army as may be disposed to yield to the opinion of General Scott—an opinion, however, as I have before intimated, from which I should feel no concern where that opinion is disconnected, as I trust it will be disconnected, from the apparent support given it by the sanction of the President of the United States, as the order in question, in its present form, implies.

My letter of the 4th of this month to the Adjutant General, to be submitted to you in reply to his letter of the 10th of March, written by your direction, and written long before I had any knowledge of the existence of the order in question, or of the inquiry in the case of Major Gates, will show that it was an essential part of my plan to hold the Indians in check and to prevent their dispersion, preparatory to their entire defeat, on the arrival of the mounted men from Fort Drane, that I should abstain from a sortie until their arrival, or until I should hear from them. In my letter of the 28th of February to General Clinch, I say, “I shall prepare means for crossing the river, but shall not attempt to cross until I hear from you;” and in my letter of the 29th of February to General Clinch, I say, “I have abstained, and shall continue to abstain, from a sortie until I hear from you.” These letters were intended for General Clinch, and for General Scott whenever he should arrive within the limits of my department. He was furnished by General Clinch, as he informed me, with copies. It is evident, therefore, that he made the allusion to my command at Camp Izard with a full knowledge of the fact that I was under a pledge to General Clinch not to make a sortie until I heard from him. My having, however, beaten the enemy and forced them to sue for peace twenty hours before I heard from General Clinch, happily superseded the

necessity of making a sortie, which could not have been made without great loss on my part, with but little loss on the part of the enemy.

I have the honor to be, with profound respect, your obedient servant,

EDMUND P. GAINES,
Major General by brevet, U. S. Army.

TO ANDREW JACKSON,
President of the United States.

A.

HEADQUARTERS OF THE ARMY,

Adjutant General's Office, Washington, June 11, 1836.

GENERAL ORDER NO. 37.

I. The Proceedings of the Court of Inquiry held at St. Augustine, East Florida, on the 6th day of May, 1836, and continued until the 7th, assembled by order of Major General Scott, at the request of Major William Gates, and of which Court Lieutenant Colonel Crane of the United States army was President, have been laid before the President of the United States.

The Court, at the request of Major Gates, was directed to investigate the conduct of that officer during and subsequent to the attack on the military post at Volusia, on the St. John's river in Florida, embracing the 14th, 15th, 16th, and 17th of April, of this year.

The Court of Inquiry, having been directed to give its opinion on the whole case, came to the following conclusion :

OPINION.

II. "The Court, after mature deliberation on the testimony before them, are of opinion, from the evidence of Adjutant Patterson, Dr. Graham, and Lieutenant Pettes, that the effective force under the command of Major Gates was much greater than the estimated force of the Indians who attacked him on the morning of the 14th of April, 1836; and that, therefore, he was capable of meeting the enemy in the field, if necessary; also, that the bodies of two volunteers, killed, were improperly left exposed, and ought to have been brought in on the morning when they were killed—such exposure necessarily operating injuriously on the garrison."

On which Proceedings and Opinion, Major General Scott, commanding the troops in Florida, made the following remarks :

"It is clear from the evidence that the garrison of Fort Barnwell was, at the time it was attacked, at least twice as numerous as the assailing party : a vigorous sortie, with two-thirds of the garrison, should, therefore, have been promptly made. The moral effect of such movement would have been great on both sides. Many of the enemy would, probably, have been killed or captured, and the garrison thereby inspired with a just confidence in the superior prowess of the white man.

"If for no other object, a strong detachment ought instantly to have been sent out to bring in the bodies of the sergeant and private who were seen to fall near the wood, at the beginning of the attack. This imperi-

ous duty was neglected for more than forty-eight hours—a delay that is curiously slurred over in the major's official report.

“It is most painful to remark the fatal charm that seems to have hung over every commander in this war who has been attacked behind breast-works or pickets. From the leading case, at Camp Izard, to the last that has been reported, not a sortie—certainly not one of vigor—has been made by any garrison, however inferior the assailing force. Several mortifying cases of this sort have duly followed; and Major Cooper alone, with his Georgia battalion, has ventured for a moment beyond a line of defences to receive or to repel an attack. The series of examples alluded to have inspired the enemy with hardihood, repressed the zeal of our troops, and may slightly excuse the conduct of Major Gates. Certainly a gallant effort is yet to be made by some future commander of a post to break the charm and to check Indian audacity.”

III. The President of the United States, on a full consideration of the conduct of Major William Gates, of the 1st regiment of artillery, as disclosed by the evidence before the Court of Inquiry, has directed that the name of that officer be stricken from the rolls. Major William Gates, therefore, ceases to be an officer of the army.

By order of Alexander Macomb, major general, commanding in chief.

R. JONES,
Adjutant General.

General Gaines to the Secretary of War, enclosing letter from Major Graham.

HEADQUARTERS, WESTERN DEPARTMENT,

Frederick, Maryland, February 28, 1837.

SIR: I have to request your attention to the enclosed letter from Major Graham, in connexion with the Proceedings of the Court of Inquiry of which Major General Macomb is President. It was received too late to lay before the Court. Upon reflection, however, I find it constitutes the only evidence known to me as likely to repel one of the many foul slanders alleged against me, namely, that I spoke of the order assigning General Scott to the Florida frontier in terms of disrespect towards the President of the United States. It is on this account I desire you to lay before the President Major Graham's letter.

Very respectfully, your obedient servant,

EDMUND P. GAINES.

To the SECRETARY OF WAR.

PENSACOLA, (FLORIDA,) *February 15, 1837.*

GENERAL: I have recently heard, with much surprise and regret, that there was a rumor (which I have reason to apprehend may have reached you) that I had stated or intimated, in speaking of an interview I had with you at this place on or about the 6th of February last, that I knew of your having received an order from the War Department assign-

ing the command of the army in Florida to another general officer, and that you had treated the order in a manner disrespectful to the authority from whence it emanated. It is a duty I owe to myself to state to you that if any such rumors have been abroad, they are entirely in correct, and not warranted by any thing I have ever expressed or intimated to any one; nor have I ever made a single statement or intimation, in allusion to that interview, tending to your disparagement. On the contrary, whenever inquired of by those who knew I was in Pensacola when you touched here, in reference to your movement with the troops, I always stated, fairly and emphatically, the high sense of duty by which you appeared to me actuated in going to the relief of a portion of your countrymen who you believed would fall victims to savage butchery, if not relieved in a shorter time than could reasonably be counted on by any other force than that which you had organized, and brought thus far on the route to the scene of hostilities.

On the day above alluded to, I called on board the steamboat in which you had come with the troops, in order to pay my respects to you, as a superior officer. I had that morning observed a paragraph in a newspaper, (I think the National Intelligencer,) stating that "it was rumored" that General Scott had been ordered to the command of the Florida army, and yourself to hold yourself in readiness to repair to the Mexican frontier, or something to that effect. As the subject appeared to be of universal interest here, I ventured to ask you the question, if you intended to proceed on with the army? To this question you replied, that you had, since your arrival at this place, received from the post office a letter from the Adjutant General, informing you that an order had been issued, by the direction of the War Department, placing Major General Scott in command of the Florida army, and directing that you should remain in New Orleans (as well as I remember) until further orders were sent you. You remarked that you had no intention whatever of interfering with the officer mentioned in the letter of the Adjutant General, but added, that you found yourself surrounded by circumstances, which the great distance of the seat of Government from the scene of Indian hostilities rendered it impossible for the War Department to appreciate fully; that, situated as you were, you believed it was a duty you owed your country to continue on with your army at least as far as might be necessary to arrest the depredations which it was understood the Indians were still committing upon our defenceless citizens; and that you conceived you had a right to rely upon the approbation of the War Department, when all the circumstances should be known. You then took a rapid view of the probable period that must elapse before General Scott could, even with the greatest possible activity, have his army in the field; and the mischief which the Indians would be enabled to commit in the mean time, if not arrested by the force you had already organized and marched thus far towards the seat of war; mentioned the instructions you had sent to General Clinch, at Fort King, to make a movement in order to co-operate with you in your contemplated march from Tampa bay; that it was now too late to countermand this order with any certainty of its reaching General C., for the newspapers contained rumors that the Indians were collected in force around Fort King, (where General Clinch was then supposed to be,) either with a view of storming the picket, or of preventing any supplies reaching it; that if these rumors were true,

General C., with his small force, (something like 130 or 140 regulars fit for duty, and nearly one-half that number of wounded to take care of,) ought to be relieved without any loss of time ; that if the rumors alluded to were not true, then General C. would probably make a movement in accordance with the instructions which had been forwarded to him, and counting upon your co-operation, which, if not rendered according to the understanding, might expose him to attack from the united force of the Indians, which was known to be far superior to his in number ; that when the Louisiana volunteers (or some of them, for I do not remember whether the remark applied to all or to a part) came to be mustered into the service of the United States, a question arose among them as to what commander they were to serve under ; that, in order to give confidence and produce unanimity of feeling among them, you had declared to them that you would not require them to march farther into the enemy's country than you should go yourself, having, at the time, no reason to apprehend you would receive any orders adverse to this assurance ; and that if you were then to quit them, before they had proceeded half way to the post where their useful services were to commence, it would probably create dissatisfaction among them ; in which event, constituting as they did a large majority of your force, the whole object of the expedition would probably be thwarted. These, I think you remarked, were all circumstances of so imperious a nature, and which it was impossible the War Department could have been acquainted with when the letter from the Adjutant General was written, that you considered it your duty to your country to yield to them, and, in doing so, felt you had a right to calculate upon the approbation of the Executive or the War Department.

I have given you, general, in the foregoing statement, the true import of all I have ever said in reference to this subject, and I leave it to yourself to judge whether or not I have misrepresented you. I will only add that, on my return to the North a year ago, I had occasion to allude to this subject, in answer to inquiries which were made of me by several distinguished individuals in Washington, in New York, and in Boston, in which (as I can appeal to them to testify, if necessary) I uniformly gave the view which I have here presented.

I am, general, with much respect, your obedient servant,

J. D. GRAHAM,

Major U. S. Topographical Engineers.

To Major General GAINES,

United States Army.

No. 4.

PROCEEDINGS OF A COURT OF INQUIRY,

IN REFERENCE TO

PUBLICATIONS OF OFFICERS OF THE ARMY.

LIST OF DOCUMENTS.

No. 1.	The Globe of	-	-	-	- April	2, 1836.
2.	Do. do.	-	-	-	- April	8, 1836.
3.	Do. do.	-	-	-	- June	4, 1836.
4.	Army and Navy Chronicle of	-	-	-	- August	11, 1836.
5.	Do. do. do.	-	-	-	- September	29, 1836.

PROCEEDINGS

Of a Court of Inquiry, held at the city of Frederick, Maryland, by virtue of the following orders, viz:

WAR DEPARTMENT,

Adjutant General's Office, Washington, October 3, 1836.

GENERAL ORDER No. 65.

The following order is published for the information of all concerned :

By direction of the President of the United States, a Court of Inquiry, to consist of Major General Macomb, President, and Brevet Brigadiers General Atkinson and Brady, members, is hereby ordered to assemble at the city of Frederick, in Maryland, as soon as the state of the military operations against the Indians will permit the witnesses to attend, (of which the President of the Court is to judge and determine, and to give notice to all concerned,) to inquire and examine into the causes of the failure of the campaigns in Florida against the Seminole Indians, under the command of Major General Gaines and of Major General Scott, in 1836 ; and the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836 ; and into every subject connected with the military operations

in the campaigns aforesaid: and, after fully investigating the same, the Court will report the facts, together with its opinion on the whole subject, for the information of the President of the United States.

Captain Samuel Cooper, of the 4th regiment of artillery, is hereby appointed to act as Judge Advocate and Recorder of the Court.

LEWIS CASS.

WAR DEPARTMENT,

October 3, 1836.

R. JONES, *Adjutant General*.

ADJUTANT GENERAL'S OFFICE,

Washington, October 14, 1836.

GENERAL ORDER No. 68.

The following order has been received from the War Department, and is published for the information of all concerned:

WAR DEPARTMENT,

October 13, 1836.

1. It appearing by the public prints that the official report of Brevet Major General Gaines, dated "Headquarters, Western Department, Camp Sabine, 4th July, 1836," made to the Adjutant General of the army, has been published, and the said publication being without the sanction of the War Department, or other proper authority, the Court of Inquiry, of which Major General Alexander Macomb is President, will, in addition to the duties already assigned to it, inquire into the facts as to the manner, and by whose authority, the said official report was made public.

2. The Court will also report its opinion as to the violation of the rules of the service by such publication; and as to the character of said report, in reference to all its bearings and consequences, as it concerns general military propriety and the discipline of the army.

3. And, further, the Court will examine and inquire into any other reports and publications made by Brevet Major General Gaines, or by any other officer of the army, having reference to military affairs, and published without the sanction of the War Department, or other proper authority, and give its opinion on the tendency of such reports and publications, in the same manner as it is herein required to do in the case referred to in the foregoing paragraph of this order.

C. A. HARRIS,

Acting Secretary of War.

By order of Major General MACOMB:

R. JONES, *Adjutant General*.

FREDERICK, FEBRUARY 13, 1837.

The Court met, pursuant to adjournment of Saturday.

Present: Major General Macomb, President; Brigadier General Atkin-

son and Brigadier General Brady, members; Captain Cooper, Judge Advocate and Recorder.

The Court was sworn in presence of the parties interested in the present investigation, who had stated that they had no objections to offer to any member of the Court.

The Judge Advocate then proceeded to open the investigation having reference to the unauthorized publications of officers of the army, on the subject of military affairs, and the tendency of such publications. He presented to the Court a letter from Captain Hitchcock, of the 1st infantry, addressed to the honorable F. S. Lyon, dated Fort Drane, March 11, 1836, and published in the *Globe* of the 2d of April, 1836; also, a communication from Major General Jesup to the editors of the *Globe*, and published in that paper of the 8th of April; and, further, a letter from Captain Hitchcock to the editors of the same paper, dated Washington, June 2, 1836, and published in the *Globe* of the 4th of June, (see document Nos. 1, 2, 3.)

After the reading of these letters, Captain Hitchcock asked leave, and addressed the Court to the following effect :

“ Mr. President and Gentlemen of the Court :

“ As among the duties assigned to this Court, that of passing an opinion upon the tendency of publications by officers of the army is one; and there being before the Court two letters over my signature—one addressed to the honorable F. S. Lyon, dated at Fort Drane, in March last, and the other addressed to the editors of ‘*The Globe*,’ dated in June last, both of which I acknowledge to have written—I request that the facts and views which I am about to state may receive the attention of this Court.

“ The letter addressed to Mr. Lyon was written under the following circumstances :

“ While marching from the Withlacoochee to Fort Drane, the 11th of March, I observed to my friend and associate, Captain McCall, that ‘all manner of stories would be put in circulation about the movements of the army, and that unless some one acquainted with the facts would undertake to state them, the newspapers would be all at fault; that much interest must be excited in the country on the subject, and, said I, I am disposed to prepare a statement, and send it to some editor.’ Accordingly, on arriving at Fort Drane, I wrote the letter in question. After completing it, and being desirous of publishing nothing but the truth, I requested General Gaines to permit me to read it to him; he at first declined, but, on my urging it, he gave me his attention while I read the letter; and, at the conclusion, he expressed a wish that his nephew, Mr. Lyon, might have a copy of it. Not being disposed to prepare a copy, I determined to send the original to Mr. Lyon, and did so, telling him in a note that I had not written the letter for the purpose of placing my name before the public, but that if he thought it worth while to authenticate the facts with my name, he was at liberty to do it.

“ It is my wish, of course, that, before passing any opinion that may touch the letter, even indirectly, the Court will hear it read, and consider whether the following observations are not perfectly just and sustained by the letter. It purports in its first paragraph to be a statement of facts. There is nothing in it at variance with that declared object. There are

no discussions in it designed or calculated to aid or direct public opinion upon the rights or duties or responsibilities of individuals connected with the movement of General Gaines, or of individuals affected by that movement. There is nothing personal in the letter; nothing directly or remotely designed or intended to *awaken* or *control* any controversy of any sort. There is not a single remark in the whole letter in compliment to General Gaines, except where I record the confidence of the officers in his judgment, &c., and that itself was the mere statement of a fact, attested by the signature of every officer but one in the camp, in a letter to the general after the command was turned over to General Clinch. The principles governing the general in going to Florida are not discussed, nor are there, in the letter, any discussions upon the expediency of any of the numerous specific determinations resolved upon or executed by him while in Florida; but the letter is what it purports to be—a statement of facts, and had it been my pleasure to have put it forth anonymously it would have been as silently passed by as hundreds, if not thousands, of similar statements have been since the commencement of the Florida difficulties.

“I need not call the attention of the Court to the fact that the public is principally informed of the movements of the army by paragraphs in newspapers, headed by the editors with this announcement, “We have been politely favored with information from the army by a letter from an officer,” &c. There is scarcely a paper of the present day that does not contain some such announcement, and no one sees any thing improper in this, considered in itself. Every newspaper copies these statements, even without a responsible name, and they are thankfully received all over the country, and often furnish materials for history.

“In a recent publication of official correspondence called for by Congress, relating to a change of commanders in Florida, the acting Secretary of War, in one of his letters, refers especially to an article in the Florida Herald, prepared, as he had understood, by an aid-de-camp of Governor Call, and expressly states that the facts disclosed in the article relative to the operations of Governor Call, formed the *principal* ground of action by the Department. The article was not even signed; and if the present acting Secretary of War, a man of great legal ability, of scrupulous integrity, and of irreproachable delicacy of character, so far from condemning the article, adopted it as among the sources of information upon which to base an important order; and if the Court should think otherwise in reference to a publication of my own, in all respects similar, except that I made myself responsible for the facts I stated by my signature, I shall be compelled to *feel* the truth of a striking observation of Tacitus—that, in early ages, men suffered from the vices of the times; they afterwards suffered from the *snares* of the law—for, in writing the article, I did not imagine I was violating any law or rule, or that any law or rule was necessary in the case.

“I deem it not improper here to allude to the fact of there being a weekly paper published in the city of Washington, immediately under the observation of the Government, and apparently encouraged and supported by officers of all grades in both the army and navy, and that the pages of this journal are principally employed in inviting, distributing, and preserving for future instruction, all manner of communications touching matters of high interest to the service and to the country. Among these communications will be found discussions upon military principles, suggestions for improvements in all imaginable ways, and very numerous

letters from officers in foreign countries and at distant posts, giving accounts of military and naval movements beyond the reach of the Post Office Department. In all this no one is for a moment at a loss in drawing a line between the *fact of communicating* and the *matter communicated*.

"It would appear, therefore, that there is no necessary evil in the fact of publishing information.

"It might be well to consider that, in time of war, the country must and will have accounts, more or less accurate, of military movements; that editors will get at these accounts by mingling even with the privates of an army returned from the field; that officers and privates cannot be expected to be silent, but will *talk* in the hearing of those who will write, of where they have been and what they have done; that many will write to their friends and relatives, who have been perhaps weeks or months in suspense and anxiety on account of the war. The Court cannot, I apprehend, entertain the question whether it be desirable to prevent the publication of facts so communicated, in relation to a campaign. All who are not wilfully blind must see that this is utterly impracticable, absolutely impossible. There is no power on earth that can control this in a country like our own, where the liberty of speech is secured, the public mail is sacred, and the liberty of the press unshackled. In monarchies or despotic governments, some control may be exerted; but in this country, yet new in its discovery, and still more new in its institutions, it every day becomes necessary to modify and often to reverse the usages of foreign nations. It is our boast to improve upon the institutions of other countries, and, without intending any disrespect to the old Regulations of the Army, annulled by General Order, December 31, 1836, I cannot but think that a rule of Mr. Jefferson's, on a topic of far deeper interest, is strictly applicable in the matter I am considering—that error is not dangerous when truth is left free to combat it. Prohibit publications in the abstract, and the consequences will be, that anonymous and false statements will flood the country, and oftentimes become so widely circulated and so universally received, as to enter into the regularly-compiled histories of the times, when it will be next to impossible to separate the false from the true. These statements, however, may, in a great measure, be deprived of their mischief, when those over a responsible name are subjected only to that supervision which has regard, not to the fact of publication, but to the matter published.

"If my harmless, and I must say, unambitious letter, in which my name only appears in the signature, to authenticate the statements I made, be supervised with reference to the views here expressed, I shall have no reason to apprehend that many years of hitherto irreproachable public life are now in danger from my having given my name voluntarily to facts I thought the public would receive with thanks. I will observe, that not a single individual in the country has been misled by my letter. The Court cannot but see that, although it was written in haste, and is utterly destitute of affectation of fine writing, still it bears the impress of 'studied accuracy' as to facts, which no subsequent events have in any manner invalidated. I stated facts merely, and expressly cautioned readers to *wait events*, as the last paragraph of the letter will show.

"I am reluctant to allude to the circumstance of my having made no mention of General Scott in the letter, but as remarks have been made as if I

had some sinister design in that omission, it is my duty to explain, that the first paragraph promises only a statement in relation to the movement of General Gaines. Down to the date of the letter, I had no personal knowledge of the operations of General Scott : I had only seen certain letters, and heard certain rumors and reports in relation to him, not likely to be commented upon with much satisfaction, and the Court, on bearing in mind the testimony showing my knowledge of those letters and reports, cannot fail to see a virtue in my silence. It made no part of my object to call the attention of the public to a source of conflicting feelings about to become conspicuous between two distinguished commanders. I have never fostered, aided, or assisted in any manner in angry controversies in the army, either among officers of high rank or those of more humble claims to the notice of their government or country. It accords neither with my disposition or principles to lose sight of the paramount claims of the army to the individual exertions of its every member to sustain its reputation as a whole, which must be sacrificed by espousing personal altercations or quarrels.

"I may be excused doing justice to myself at this time by stating that, so far was I from entertaining a disposition to do injustice to General Scott, or to enliven the causes of irritation between himself and General Gaines, that I sought thrice of his staff officers, Lieutenants Chambers and Temple, and Captain Van Buren, and conversed with them at Fort Drane, with the express view of healing the difficulties between the two generals, and sought the same object through Colonel Gadsden, desiring him to aid me in that object. I will also state that, on the Withlacoochee river, I urged upon General Clinch the propriety of withholding from General Gaines the letter from General Scott of the 1st of March, observing to General Clinch that its exhibition could have no other effect than to widen the breach between the generals : and, acting consistently with my conduct at that time, I made no allusion to that letter in all my intercourse with General Gaines from that day, until the order for the Court of Inquiry made silence on the subject both unnecessary and impossible. I doubt not it will be in the recollection of the Court that General Gaines himself, on hearing the letter read in Court, declared in the most emphatic manner his previous ignorance of its existence. In the same spirit on my part, I did not even mention the existence of the letter to Captain McCall, although associated with him for weeks and months on the most intimate terms, and through scenes when, if ever, the heart is warmed to the disclosure of whatever a man of honor may communicate to his friend.

"For the truth of these facts and principles, I appeal to my past life and to the testimony of all who know me : but I will add, that apart from public considerations, I had private reasons, all-important with myself, that influenced me in abstaining, not only in my letter to Mr. Lyon, but on all occasions, from bringing the measures of General Scott into question in relation to Florida affairs.

"If these remarks seem too much extended, and out of proportion to the importance of the letter to which they refer, I beg the Court will consider that the principles involved in the matter are the same, my letter to Mr. Lyon occupying but a couple of columns, as if it had filled a whole newspaper—that I am not advised of the precise scope of the inquiry touching the letter ; but above all, I trust that mere kindness will make great allowance for an endeavor to avoid a censure from this honorable Court

composed of three distinguished officers, an unfavorable opinion from either of whom would be regarded with the most extreme mortification.

"In reference to the letter of the 2d of June, published in 'The Globe' of the 4th of that month, I would observe that the facts stated in it are strictly in accordance with the testimony before the Court in the case of both General Gaines and General Scott, and that the manner of my making the statement was necessary and is not liable to exception. I desire the Court to consider that the letter purporting to come from General Jesup, to which mine was a reply, was not called for by my letter to the honorable Mr. Lyon. I appeal to my letter and to the natural and unprejudiced impressions upon reading it, to sustain me in declaring that nothing contained in the letter was the legitimate cause of the letter having the name of General Jesup to it, and, therefore, I must presume the Court will not hold me accountable for that letter, and I trust will find no objection to the explanation it called for of the 2d of June. I have no complaint to make of General Jesup, supposing him to have written the letter to which mine is a reply, and I am ignorant of the existence of any evil as resulting from either of the letters."

The Court here adjourned to meet to-morrow at 11 o'clock, A. M.

FEBRUARY 14, 1837.

The Court met, pursuant to adjournment. All present.

The Judge Advocate presented to the Court a letter from Captain McCall, of the 4th infantry, dated "Camp Sabine, May 18, 1836," addressed to the "Editor of the New Orleans Bulletin," and published in the Army and Navy Chronicle of the 11th of August, 1836; also, a postscript to said letter, addressed to the Editor of the Army and Navy Chronicle, and published in that paper of the 29th of September, 1836.—(Docs. 4, 5.)

After the reading of these letters, Captain McCall asked leave, and addressed the Court to the following effect:

"Mr. President and Gentlemen of the Court:

"As the attention of the Court has been directed to the publication, by officers of the army, of certain letters relating to the campaigns forming the subject of its investigation, with a view to obtaining its opinion as to the tendency of those letters; and, as a letter under my signature has been laid before the Court, I have to request that the following remarks, in connexion therewith, may be taken into consideration.

"At the time my letter was written the public prints were teeming with misrepresentations of the operations in Florida as injurious to the character of the army as gross and indecorous in themselves. Paper after paper was filled with either a strange perversion of facts or a tissue of harsh reflections upon the officers and troops who had been engaged in arduous service in Florida.

"In this state of things I was desirous, by a faithful representation of the principal events of the campaign in which I had served, to remove the stigma which I conceived had been wantonly cast upon the arms of the country.

"I addressed a letter on the subject of the campaign to a gentleman who had always manifested a deep interest in the honor and welfare of

the army. Before sending this letter I read it to General Gaines, and expressed a hope that my statement might tend to remove the injurious impressions likely to be made by the various reports then in circulation. With his permission I afterwards sent a copy of the letter to the editor of the 'New Orleans Bulletin,' likewise with a view (as appears from my note to the editor) to correct the errors which had already found their way to the press.

"My letter purports to be a sketch of the principal features of the campaign in Florida, under Major General Gaines, which terminated on the 9th of March, 1836. The letter was written on the 18th of May, 1836, and did not appear in the Bulletin until the 21st of June following. No army regulation, therefore, was violated by its publication.

"The 650th paragraph of the 'General Regulations for the Army,' (1825,) prohibits the publication of letters or reports relative to military marches and operations, without special permission, *within one month* after the termination of the campaign to which such letters or reports relate. My letter relates only to the campaign under Major General Gaines, and was not published until *more than three months* after the termination of that campaign.

"In writing the letter I studiously avoided expressions that might reflect upon any officer in any way connected with the campaign to which my narrative was confined, or any other campaign.

"Had I published the letter anonymously, I should have avoided the responsibility of authorship, as has been the case with great numbers who have written to editors and others, since the commencement of hostilities in the South; but conscious of the integrity of my motives, and confirmed in the correctness of my narrative; and, moreover, satisfied that I should violate no known regulation of the army, nor any principle of right or propriety, I did not hesitate to give my name to the contradiction of foul and calumnious statements, which were greedily swallowed by the public, and some of which have even been admitted into a work purporting to be a *history* of the war.

"In the United States, where the liberty of the press is enjoyed in the fullest sense of the word, the rapid dissemination of every description of accounts of military marches and operations, even while the army is in the field, may be expected. Where the militia constitutes the principal numerical force of an army, the novelty of the life and the interest of the scenes through which the young soldier passes, together with a desire to gratify the curiosity or relieve the anxiety of distant friends, offer temptations too great to admit a doubt that the accounts sent from the seat of war to every part of the Union will be as numerous and perhaps as various as the individuals composing the forces in the field. These accounts are circulated in a thousand ways, and tend to impress improperly the public mind. This fact has been fully illustrated during the last twelve months.

"The Court needs no argument to satisfy it of the impossibility of *preventing* this evil. It was with a view of applying, as far as in my power lay, a remedy to this evil, that my plain narrative of the campaign was written, and *my name attached to it*; for the country was flooded with anonymous accounts of the operations in Florida, sometimes as intemperate and abusive in their expressions as imperfect and fallacious in their details. Amongst the most violent of these productions was the

article that has been laid before the Court by General Gaines. And when I state that this article was received at Camp Sabine a few days before my letter was written, I feel confident that Court, so far from seeing an impropriety in the honest desire I manifested to place the events of the campaign in their true light, will rather be surprised at the calmness and moderation which marked the tone and language of my letter.

“As Major General Scott, in his defence before this Court, has quoted a passage from my letter, and has deduced an argument therefrom which may tend as much to prejudice others as to benefit himself, I must, with all respect to General Scott, remark, that the interpretation given this passage (which has been singled out of a long letter, and is in itself comparatively of minor importance) is a more liberal interpretation than was contemplated by the writer.

“It was never my intention to convey an idea that ‘the Louisiana volunteers were a body of vassals, who owed allegiance to a particular chief,’ (see General Scott’s defence,) nor can I think it would be inferred from my letter. Nor do I think it would be inferred from my letter that they evinced a determination to violate their engagement with the United States; or that they would have been guilty of mutiny had General Gaines relinquished the command.

“It is well known that these troops had been regularly mustered into service for three months; had received a bounty of thirty dollars, and were to receive the pay of ten dollars per month: they were, therefore, *bound* to obey all officers properly placed over them.

“I stated in my letter, and on the authority of General Gaines, myself, that ‘*he had pledged himself to accompany the Louisiana volunteers whithersoever they went,*’ &c. In alluding to this fact as the *least important* of several reasons General Gaines expressed for continuing his movement from Pensacola, I said the volunteers were (owing to this pledge) unwilling to proceed *without him*. Had I said they were unwilling to *part with him*, I should have expressed my meaning more clearly; and that fact is fully established on your record. Even grammatically criticising the sentence, the freest construction to be put upon it is, that the volunteers would have *proceeded unwillingly* without General Gaines, who had pledged himself to accompany them. Although no one doubts that this fine regiment was bound to proceed, and would have proceeded without General Gaines, had he so directed, yet they were unwilling to part with him; and this is the only proper construction that can be put upon the passage. For, if the other interpretation is given it, I must appear to cast upon the Louisiana volunteers a *reflection* altogether inconsistent with the terms of encomium used towards them in other parts of the narrative.

“The slight verbal difference I have noticed I cannot believe has misled the public, for my meaning is clearly conveyed in the spirit and context of the letter.

“As I am not advised of any particular point in my letter to which the attention of the Court is directed, and as I am not aware of having violated any known law or order in the production of that letter, I have confined myself, in the first place, to laying open to the Court the *motives* which induced the writing and the publication of the letter, and which I cannot doubt will be found good and sufficient; and, in the second place,

to explaining to the Court a passage in my letter which has received an interpretation different from that which was contemplated in penning it. This explanation, I trust, is satisfactory, for a thought that a different opinion was entertained by any member of this high and honorable Court, would be to me a source of the most painful humiliation."

The Court adjourned to meet to-morrow at 11 o'clock A. M.

FEBRUARY 15, 1837.

The Court met, pursuant to adjournment. All present.

The Court proceeded to pronounce its Opinion on the foregoing cases, as follows :

The Court took into consideration a communication from Captain Hitchcock, of the 11th of March, 1836, to the honorable Mr. Lyon, of Alabama, published in the "Globe" of the 2d of April, 1836, detailing the operations of Major General Gaines in his campaign against the Seminole Indians in Florida, in 1836, and find that its publication was made with the approbation of Major General Gaines, and does not violate any regulation or rule of service ; that it appears to be a narrative of facts assumed by the writer, without any comments or reflections injurious to the public service ; and the Court cannot, therefore, see that there is any necessity for further investigation into the subject.

The Judge Advocate laid before the Court a number of "The Globe" of the 8th of April, 1836, containing a publication purporting to be from the pen of Major General Jesup, commenting on the letter of Captain Hitchcock of the 11th of March ; also, a letter of the 2d of June, addressed by Captain Hitchcock to the editors of "The Globe," and published in that paper of the 4th of June, in reply to the publication having the signature of Major General Jesup. In viewing the contents of the letter of Captain Hitchcock of the 2d of June, it purports to be a justification of the premises assumed in his letter to Mr. Lyon of the 11th of March, and contains nothing contrary to the regulations of the army.

The Court was called to consider a publication made by Captain McCall, addressed to the editor of the New Orleans "Bulletin," under date the 18th of May, 1836, and published in the "Army and Navy Chronicle" of the 11th of August, 1836 ; also, a postscript or notes to said letter, published in the "Army and Navy Chronicle" of the 29th of September, 1836. The purport of the letter and postscript is a detail or narrative of the campaign of Major General Gaines against the Seminole Indians in Florida in 1836. But as the publications were made more than a month after the campaign was closed, the army regulations were not violated thereby.

ALEX. MACOMB,
Major General, President of the Court.

S. COOPER, *Judge Advocate,*
Recorder of the Court.

PUBLICATIONS OF OFFICERS OF THE ARMY.

No. 1.

[FROM THE *GLOBE* OF APRIL 2, 1836.]FORT DRANE, (FLOR.) *March 11, 1836.*

SIR: The following statement of facts in relation to the recent movement of troops from Louisiana, under the immediate command of Major General Gaines, you may rely upon, and, if you think proper, may use for the information of the public.

General Gaines left his permanent headquarters at Memphis, (Tennessee,) on a tour of inspection, and arrived at New Orleans about the 15th of January, where he heard, for the first time, of a serious disturbance in Florida, and particularly of the melancholy massacre of Major Dade and his command, which occurred on the 28th of December. He immediately communicated with the Governor of Louisiana, and requested him to call upon, and hold in readiness a body of volunteers for service in subduing the Seminole Indians, and proceeded to Pensacola to solicit the co-operation of the naval force on that station. At Pensacola he found his wishes had been anticipated: Commodores Dallas and Bolton, and Captain Webb, having already directed their attention towards Tampa bay and other inlets of Florida, whither they had ordered marines and munitions of war.

The general, on his way to Pensacola, feeling called upon to take the most prompt and decisive measures to sustain the military post within his command, and secure the peace of the frontier, issued his orders to Lieutenant Colonel Twiggs, to receive into service eight companies of the volunteers requested of the Governor of Louisiana, and, together with the regular force at Baton Rouge, (New Orleans,) and other stations in the immediate vicinity of New Orleans, to hold himself in readiness for a movement to Tampa bay. The whole force amounted to about eleven hundred men, including about seven hundred volunteers. This order was dated at Mobile, the 18th of January.

The general visited Pensacola as stated, and then proceeded to New Orleans, where he arrived about the 25th. He organized and equipped his force, and moved on the 4th of February in three steamboats. He reached Tampa bay on the 9th, and on the 13th took the field in the enemy's country. It was first designed to march for and defeat a body of Indians, reported to have been recently in the neighborhood of Fort Brooke said to have been in battle only a day or two before the arrival of the general with the friendly Indians. Accordingly, the general marched in an easterly direction upon the Alafia river; but, at the end of two days, having found two or three fields of turnips and other vegetables, as also fodder-stacks, not destroyed by the enemy, it was readily concluded he could not have been in that vicinity in any considerable force; and the general

directed his march towards Fort King. He had taken ten days' rations only, but had reason to suppose that a large supply of stores was at Fort King, the quartermaster having shown him an official letter from the Quartermaster General, advising him that one hundred and twenty thousand rations had been ordered to that post. The letter was dated the 21st of January.

The march was continued to Fort King, passing, on the 20th of February, the battle-ground of the gallant band cut off under Major Dade, on the 28th of December, where we interred the bodies of 106 heroes. No language can do justice to the scene. The remains of our mutilated brothers in arms were found where they had fallen, at their posts—the very position of the advance guard being clearly indicated. Our troops marched to solemn music around the little breast work which had been hastily thrown up, and where the last of the party were destroyed; each individual lying at the breastwork, where, beyond a doubt, he fell in the execution of his duty. We continued our march a short distance that day; and on the 22d, as if to celebrate the birth of him who was “first in war, first in peace, and first in the hearts of his countrymen,” we arrived at Fort King, and gave an agreeable surprise to one company of artillery, the garrison of that post, which, from its isolated and exposed situation, had been reported in the presses of the country as having been assaulted and destroyed by the Indians. The garrison had, indeed, been exposed, but was well prepared to give the enemy a warm reception. The guard, on the approach of General Gaines, was paraded, and the customary honor paid in due form; but where were the hearts of all at that moment? The writer of this confesses, “he turned aside to wipe away a tear.”

The general, contrary to his reasonable expectations, found no sufficient supply of stores of any kind. The next morning, the 23d, all the horses were sent to Fort Drane, 22 miles northwest, with a suitable convoy, for a supply of provisions. The 24th brought us all that could be procured, and it was ascertained to be but seven days' rations, which, with two days' supply found at Fort King, made up all that could be looked for in that quarter. The general had then to decide upon his next movement. To remain at Fort King, without supplies, was out of the question; to proceed farther north might embarrass the operations of another officer then ascertained to be employed at Picolata in preparing force and supplies to penetrate the enemy's country. After much and mature deliberation, the general decided to move south again by the battle-ground of General Clinch. If the enemy should not be found, the general would, at all events, reach supplies at Tampa bay. His movements would occupy, and perhaps concentrate the enemy, and tend greatly to give security to the frontier, and enable families to return to their deserted plantations, and in safety recommence their peaceful avocations, the season having arrived for the commencement of planting operations. Lastly, but not the least of the considerations, we might find and beat the enemy.

The general moved from Fort King on the 26th of February, and on the 27th, at 2 o'clock, we were on the right bank of the Withlacoochee, at the place where General Clinch crossed the river the 31st of December preceding. The troops had advanced from Tampa bay, and to this time the same order of march has been preserved, in three columns, a right, centre, and left, respectively, about one hundred yards distance from each other, with a strong advanced and rear guard—the baggage being in the

rear of the centre column. In this order it followed that we struck the river at three points; the advanced guard, as the centre, being at the usual crossing-place. The baggage and the rear had been ordered to halt, as the general only designed examining the crossing-place. Up to this time no attack or annoyance had been offered us since we left Tampa bay, and but few of us expected it at the Withlacoochee. We were, therefore, many of us, fully exposed while sounding and examining the river, and our exposure was matter of jocular remark, when, for the first time, on our left flank, a spirited fire was heard, accompanied by the enlivening war yell of the savage. The fight was continued about half an hour, the enemy being on the left bank of the river, when the general ordered the troops to encamp near the river. We lost one killed and eight wounded. On the 28th we moved down the river about two miles, where the banks were less covered with thicket, and the advance guard was here fired upon, and Lieutenant Izard, of the United States dragoons, mortally wounded. He fell; but partially recovering himself, commanded his men, with the utmost composure, "to keep their positions and lie close;" a command scarcely less remarkable than that of the lamented Lawrence—"Don't give up the ship." Lieutenant Izard, after five days of suffering, died on the 5th of March, and was buried on the banks of the Withlacoochee—himself a loss too great for the savage foe ever to compensate.

The fight was continued on the 28th, with little or no intermission, from about 9 o'clock until 1 P. M., when we encamped again. During this period the Indians kept up a continuous yell, excepting during an interval, when they retreated for a short time. We lost this day, besides Lieutenant Izard, one killed, and Captain Sanders, commanding the friendly Indians, and Captain Armstrong, of the United States schooner *Motto*, both volunteers, wounded, the latter slightly. In the evening of this day an express was sent to Fort Drane to report to the officer commanding in that quarter, that the enemy had been found in force, and to recommend an immediate movement, crossing the Withlacoochee some distance above, and thence to fall down upon the enemy's rear, which it was hoped would terminate the war.

On the 29th, in the morning, the enemy was silent, but the experience of the general looked upon it as ominous, and he ordered one-third of the command to remain at the breastworks—the remainder of the force being employed in preparing timber and canoes for crossing the river. At about 9 o'clock our working parties were fired upon, and simultaneously a vigorous fire poured into camp from three sides, that nearest the river being the only one not assailed. The firing continued a little over two hours, during which we lost one man killed, and three officers and thirty non-commissioned and privates wounded. The force of the enemy was estimated at twelve hundred or fifteen hundred. General Gaines was wounded by a small rifle ball, which passed through his lower lip, making a very slight wound, but knocking out one lower tooth and slightly fracturing two upper teeth. This was a most startling incident to all as soon as known, but affected every body more than the gallant hero himself, who, with the most heart-cheering good humor, observed that it was extremely unkind for the enemy to take a tooth from him which he valued so highly. Lieutenant Duncan, of the artillery, was slightly wounded, and Lieutenant E. Smith, of the Louisiana volunteers, was wounded no less than three

times. The enemy at length retired in some haste, for, contrary to their custom, they left one of their dead, after dragging the body some distance; they took his rifle, but we found him well supplied with powder and about sixty bullets.

The enemy, contrary to expectation, having crossed the river, it was evidently unnecessary for the troops from Fort Drane to go higher up, and accordingly General Gaines sent another express that evening, suggesting the expediency of a movement directly to Camp Izard, (the name he had given his own camp,) requesting, as he had done by the previous express, a supply of six thousand rations of pork, flour, and sugar. On the 2d, 3d, 4th, and 5th days of March, the enemy fired at intervals, both day and night, upon our camp, which we secured by breastworks of pine logs, within which most of the command enjoyed themselves in conversation, and speculating upon probabilities as to whether supplies would reach us, while our sharp-shooters were amusing themselves in picking off the Indians from behind the trees.

As our provisions diminished, we began to inquire into the virtues of roots and the comparative excellence of horse-meat. At a meeting of officers, all the corn was thrown into the public crib, and an issue of a pint made to those men whose bread had been exhausted. At length bread, corn, meat, disappeared, and some of the men were two days without food. What was then the feeling in camp? Let it be recorded to the honor of every man, and let no one, from false modesty, hesitate to yield his feelings to the gratification of noble pride, when he recollects that not a murmur was heard, nor a whisper of retreat circulated from any quarter. Far from it. Some horses were killed, and a very delicate piece was brought to the general, at his tent, who found it remarkably tender and well flavored. We felt very well able to maintain ourselves at least three weeks if necessary; and by that time, at least, the force from above must certainly come down, and the Indians would assuredly be taken. These were our reflections on the night of the 5th; when, at about ten o'clock, we heard some one calling from the woods and wishing to speak with us. The officer of the guard answered the man, and demanded his designs: he distinctly stated that the Indians were tired of fighting and wanted to make peace. The general ordered the officer of the guard to answer, that if he wanted to say any thing, to come in the morning, with a white flag, and he should not be fired upon. He replied, "very well;" repeating his desire to come in and have a friendly talk, and to shake hands. This was soon circulated throughout the camp, but from the well-known treachery of the Indians, we were ordered to be particularly on our guard, and continued so all night.

During the day of the 5th we lost one man killed and had two wounded, the only casualties which had occurred since the 29th. On the morning of the 6th, at about ten o'clock, about 300 of the Indians filed out from the river, and took up a position in our rear, about 500 yards distant. They were armed, and we were fully in the belief that this was a mere feint, supposing the residue of their force in a neighboring hammock; and we were confident of a desperate assault from some other quarter. We were at a stand, waiting their movements some minutes. At length one or two advanced a short distance, and after considerable hesitation on their parts, the result of their fears lest we should entrap them, they approached near enough to be heard, and after joined by three or four others, came

within about 200 yards, and repeated what had been declared the night before. The general then directed a staff officer to go out to them, and hear what they had to say. It was soon reported to the general that the Indians did not wish to fight any more, but they wanted him to retire from the Withlacoochee. The staff officer was then ordered to return to them, and, in the plainest language, tell them the exact truth as to the force ordered into the country to subdue them; that additional force was expected every day; that the time was near when every Indian found with a rifle in his hand would be shot down. This was communicated with such explanations as were deemed necessary to give it force; and they then said they would go and hold a council, and would assemble again in the afternoon to give an answer. In the afternoon they came as before, including, as in the morning, the celebrated Powell, and scarce less celebrated Jumper, with several others, and with the interpreter Abram. The general's staff officer had with him two or three others from our camp at the talk. The Indians repeated much of what they had said in the morning; that they had lost many men by death and wounds, and were tired of the war and wanted peace; but as their governor, as they called him, Micanopy, was not with them, they wanted time to consult him; they therefore asked a cessation of the war. The staff officer, having been previously instructed by the general, told them, that if they would engage to cease from all acts of hostility, retire south of the Withlacoochee, and promise to attend a council when called upon by United States commissioners, they should not for the present be molested. They answered, that for themselves they would, and did promise all that was required. At that moment a noise was heard from that portion of the Indians at a distance, and they were seen running towards the river. It was easy to conjecture the cause. Immediately afterwards General Clinch, with 500 men and supplies, came gallantly on; and his advance guard of mounted men, seeing Indians, and not knowing the purpose of their being where they were, formed a line promptly to the left, and fired, but the fleetness of the Indians saved them—they were beyond the reach of gunshot, and were soon out of sight and over the river.

Then followed one of the most delightful greetings imaginable. General Clinch's force moved onward, and was soon within hail of friends; and were we not all friends indeed? The new-comers were soon divested of their surplus bread, &c., until their haversacks were emptied, and our command feasted. General Clinch brought two days' supply of pork and bread, with sugar, besides about forty head of cattle, many of which did not live out that night.

On the 8th a negro man was sent over the river, who had a wife among the hostiles, with orders to account for his appearance among them in any way he might choose; to see and talk with them; to ascertain their location and wishes. The 9th he did not return, much doubt prevailed as to the position and disposition of the enemy. On this day, the 9th, General Gaines thought proper to deliver the command over to General Clinch. We all regretted, and yet were pleased with the change; regretted to lose the presence of a tried, experienced, and gallant general, whose deportment commanded respect, whose judgment ensured confidence, and whose mild and amiable manners won the affectionate regard of every one; but if a change was deemed a public duty, to whom could the command be

assigned with so much satisfaction to his troops as to General Clinch, who came nobly to their aid, with all the despatch and all the assistance in his power, and whose manners were an index of his generous and heart-enobling qualities?

General Clinch, for reasons assigned in orders, directed a movement to this place, to commence on the 10th instant, at 10 o'clock. In the midst of a heavy rain the march commenced, and the troops moved about seven miles and encamped. In the evening, the negro man who had been sent among the foe, came in, and, to our great satisfaction, confirmed, in the most precise manner, the truth and sincerity of all the Indians had professed. He went among them, and found they had moved some fifteen or twenty miles up the river, and had dispersed over a space of some two miles or more, in several encampments. They gave the negro every assurance of a pacific disposition on their part; stated that they had ordered their young men to abstain from war, and that they had seen our men fishing in the river, and had abstained from firing upon them. They stated that thirty had been killed in the several battles on the Withlacoochee, between the 27th of February and 5th of March. It must be observed that no terms have been offered the Indians; and, although there can be no doubt of their having been broken in spirit, it is yet to be seen whether they will suffer the dictation of terms which it is understood are to be imposed on them. It is certainly known, through the negro man, that they do not wish to go West, and they may refuse to comply with a requirement to do so.

General Gaines arrived at this place to-day in good health.

I have the honor to be, with the highest respect, your obedient servant.

E. A. HITCHCOCK,
Captain U. S. A.

HON. FRANCIS S. LYON, M. C.,
Washington city.

No. 2.

[FROM THE GLOBE OF APRIL 8, 1836.]

Messrs. Blair & Rives :

GENTLEMEN: I have read the letter of Captain Hitchcock, late acting Inspector General in Florida, published in your paper of Saturday, and regret to observe that, in the warmth of his zeal for his chief, he attempts to throw the responsibility of the movement on Fort King, with inadequate supplies, upon the officers of the Quartermaster's department. Now most men have as much as they can do to bear the burden of their own errors; I find it so at least, and I confess, my shoulders are not quite broad enough to bear the additional weight which the gallant inspector seems kindly disposed to transfer to them. But let him speak for himself. He says, "*the General directed his march towards Fort King: he had ten days' rations only, but had reason to suppose that a large supply of stores was at Fort King, the quartermaster having shown him an official letter from the Quartermaster General, advising him that one hundred and twenty thousand rations had been ordered to that*

post ; and in a subsequent paragraph he says : “ *the general, contrary to his reasonable expectations, found no sufficient supply of stores of any kind.* ” It is a maxim in war, as old as the science itself, that a general should never separate himself from his supplies without taking care to secure his communications ; but it is the high attribute of genius to be able to dispense with those rules which are necessary for the government of ordinary mortals ; the commander, however, who disregards them, assumes a responsibility which nothing short of complete success can justify : reasonable grounds for supposing that supplies would be found at Fort King may palliate, but cannot justify a movement contrary to rule, which resulted in failure as this did.

But let us examine the grounds for the supposition of the general. Captain Shannon, the senior quartermaster in Florida, had been advised in a letter of the 19th January, from the Quartermaster General's office, that a large supply of provisions had been ordered from *New York to Fort King*. The following is an extract from that letter of all that relates to the subject : “ *Large supplies of provisions have been ordered from New York to Fort King.* ” By comparing this extract with Captain Hitchcock's letter, it will be seen that he has omitted the material fact, that the supplies were ordered from *New York*. Now he must pardon me, if not satisfied with the precise quantum of truth which he has chosen to tell, I claim for the department the benefit of the *whole truth*.

General Gaines, we are told, moved from Tampa bay on the 13th of February, just twenty-four days subsequent to the date of the letter to Captain Shannon ; a time not sufficient to have placed the supplies in depot at Fort King, even in the most favorable season of the year, and with the land communication entirely free from the interruptions of the enemy. Besides, General Gaines must have known that all the settlements in Florida, from near St. Augustine to Fort King, had been broken up, or were kept in constant alarm by the enemy, and that the whole line of the Ochlawaha, as well as the roads from Palatka and Picolata, were liable to be seized and held by him : it must also have been known that General Scott was in the field, and the least reflection must have led any one to perceive that he would hardly allow his supplies to go, without protection, in advance of his force. The date of the letter, the place whence the supplies were necessarily drawn, the state of the roads in Florida, the condition of that country, and the position of General Scott, should all have been considered. Viewing these circumstances together, what grounds were there to justify the supposition that supplies would be found at Fort King ? What *reasonable* expectation of the General could have been disappointed, unless indeed he supposed General Clinch had obtained supplies before General Scott arrived in the country ; But if he, at the head of a thousand men, was obliged to intrench himself on the Withlacoochee, and was neither able to open the communication with his own depot at Tampa bay, nor to keep open that with Fort King, how could he expect General Clinch, with less than half that force, even if the supplies had arrived at Picolata, to keep open the communication, and furnish protection for them on the route, when every brigade of wagons or pack-horses required a military escort ?

The fact is, there was no just grounds for the supposition, if it was ever entertained, that supplies would be found at Fort King more than sufficient for its garrison. Tampa bay was the proper depot for General

Gaines's division. When he left that post for Fort King, the supplies were abundant; if he chose to leave them there, and allow the enemy to cut him off from them, he no doubt had reason sufficient, in his own opinion, to justify the measure; but the responsibility, as well as the honor, is all his own. I must be excused from sharing either.

THOMAS S. JESUP.

No. 3.

[FROM THE *GLOBE* OF JUNE 4, 1836.]

WASHINGTON CITY, D. C., June 2, 1836.

Messrs. Blair and Rives:

GENTLEMEN: I avail myself of the first opportunity to notice the errors contained in a letter from General Jesup of the 8th April, referring to my letter to the honorable Mr. Lyon, previously published in the *Globe*.

General Jesup says that General Gaines had no reasonable expectation of finding supplies at Fort King, after seeing a letter from the Quartermaster General's office to the assistant quartermaster in Florida, dated the 19th of January, informing him that large supplies had been ordered from New York to Fort King; and the general charges me with omitting, in my letter to Mr. Lyon, the "material fact," as he calls it, that the supplies were ordered from *New York*, and claims "the benefit of the whole truth."

Notwithstanding the self-complacent formality of the general's principle, as "old as the science itself," I shall set him right very abruptly. He urges three points: 1st, the want of time to send supplies from New York to Fort King; 2d, that the roads in Florida were liable to be seized and held by the enemy, and that every wagon-train therefore required an escort; 3d, that "the least reflection" would have told any one that General Scott would hardly allow his supplies to go in advance of his force without protection.

1st. As to time. The general having claimed the benefit of the whole truth should not have withheld it himself, particularly in the delicate situation of being interested; and, therefore, to the "twenty-four days" from the date of the letter of advice from his office to Captain Shannon, the 19th of January, to the departure of General Gaines from Tampa bay, the 13th of February, (all the time General Jesup "chooses" to consider,) he should have added the *ten days* for which General Gaines took rations on his march to Fort King, more especially as he quoted the fact itself from my letter, and thus passed it manually before his eyes; and he should also have considered that every post, as a matter of course, has some days' supply always on hand; in the present case, *nine* which General Gaines took from him, and several that he left at Forts King and Drane. So that, in fact, instead of "just twenty-four days," the Quartermaster General had forty-three, and perhaps fifty days allowed him; and yet *the supplies were not placed in depot*. No one can deny but that here was time enough to forward the supplies, even from New York, and therefore my omitting to state the place whence they were drawn was not "material."

2d. As to roads and escorts, the only road required was that from Picolata to Fort Drane. This road was entirely under the control of the army, and almost daily passed by expresses; and General Scott's main force was at Picolata, ready to furnish all necessary escorts.

3d. As to sending the supplies in advance. General Scott's plan made it a most important object to send supplies in *advance* to Fort Drane. For this he labored weeks in succession, embarrassed constantly for the want of transportation due from the Quartermaster's department; and in order to ensure this very desirable object, he even detained his forces at Picolata to avoid consuming the supplies at the depot *in advance*.

Thus, it appears, there was *time*; the road was *protected*, and the supplies were required in *advance*. Why, then, were they not forwarded?

It is not true, as General Jesup partly states and partly implies, that General Gaines was *driven* to his breastworks, there besieged and unable to move. General Gaines had the example, if example were necessary, of the present Chief Magistrate and other distinguished commanders, and habitually intrenched his camp at night in Florida. He was in one of these breastworks when the Indians presented themselves on the 29th February. He had the *day before* declared, in a letter to Fort Drane, that he would not leave his position until he should hear from Fort Drane, hoping for the means of striking a blow that would terminate the war in "ten days," without the hazard of dispersing the Indians, or driving them to the Everglades. He was not besieged, for, after about 12 M. of the 29th of February, not an Indian was seen or heard of about camp until the afternoon of the 2d of March, when a small party threw in a volley and ran away; and on the subsequent days, for hours in succession, the country was equally open, and could have been cleared at any time.

General Clinch went down with five hundred men; General Gaines had a thousand to move with, had he been disposed to move at all; but dispersing, or merely driving the Indians farther off, would have been "worse than suffering a defeat," and to retire, never once occupied his thoughts.

I will conclude by expressing a hope, that when General Jesup wishes again to vent his spleen against General Gaines, he will not attempt it over my "shoulders."

E. A. HITCHCOCK.

No. 4.

[FROM THE ARMY AND NAVY CHRONICLE OF AUGUST 11, 1836.]

CAMP SABINE, NEAR THE SABINE RIVER,

May 18, 1836.

DEAR SIR: I take the liberty to enclose, herewith, a copy of a letter to a friend, on the subject of the late movements in Florida under General Gaines.

I had written nothing relative to that campaign with a view for publication; nor should I now send the enclosed, had I not lately seen in some of the papers strange misrepresentations of facts, which should not be permitted to pass unnoticed.

I have had time only roughly to sketch the principal features of the

campaign ; but the letter is at the service of the public, and I shall be obliged by your giving it an insertion in your paper.

I am, with great respect, &c.

GEO. A. McCALL.

To the Editor of the N. O. Bulletin.

MY DEAR SIR : A rapid change of position and almost constant occupation during the last four months, have prevented, until now, my making the *Florida war* the subject of a letter. 'The first intelligence of "actual hostilities" in that section of his military department, was received by General Gaines at New Orleans, whilst on a tour of inspection to the Gulf posts. The news of the massacre of Dade's detachment had burst like a thunder-clap upon the inhabitants of the great Southern emporium. On receiving the official report of this sad disaster, General Gaines immediately addressed to the Adjutant General at Washington, a letter, in which he urged that no time should be lost in applying to the savages on that frontier the last and obvious means of correction ; at the same time declaring, from his knowledge of the Seminole Indians, and the country they inhabited, his conviction that the only sure means of speedily and effectually terminating the difficulties in that quarter, would be to bring into the field an army of at least 4,000 men, aided and supported by a strong naval force. Under this impression, he recommended that the 6th and part of the 1st and 7th regiments of infantry be ordered to Florida, to reinforce the United States troops on the Gulf, and such volunteers from the adjoining States as the emergency might call forth. On the same day he made a requisition on the Governor of Louisiana for a regiment of riflemen or infantry ; and soon after requested of Commodore Bolton, at Pensacola, the co-operation of such naval force as he might feel authorized to order on that service. Some days subsequent to this, the receipt of intelligence that Fort Brooke (Tampa bay) was invested by the Indians and negroes, and the garrison in danger of being cut off, determined General Gaines to proceed at once to their relief with what force he might be able to collect at New Orleans. He accordingly wrote by express to General Clinch, who commanded in Florida, and was at that time at Fort King, 100 miles north of Fort Brooke, that he (General Gaines) would be at the latter post on the 8th of February, with 700 men. General Clinch, it is understood, would have, by that time, a respectable force (volunteers) from Georgia and the upper counties of Florida. He was accordingly ordered, if strong enough to take the field, to march to the southward in time to effect a junction with General Gaines at or near Fort Brooke. Under these circumstances, General Gaines embarked at New Orleans on the night of the 3d of February, with a brigade of about eleven hundred men—to which number his force had fortunately increased—consisting of six companies of the 4th infantry, under Lieutenant Colonel Twiggs, and a regiment of Louisiana volunteers, under the command of General P. F. Smith, adjutant general of the State. The transports, being steamboats, were obliged to touch at Pensacola for wood ; and here it was that General Gaines met the Adjutant General's letter of the 22d January, which purported to cover the "Order No. 7," directing *General Scott to repair to Florida "and take command of the*

troops operating against the Indians in that quarter." This Order No. 7 was not enclosed, nor did General Gaines see it until his arrival at Fort King, sixteen days afterwards. This fact may be a matter of no great import; but, as the continuance of the movement from Pensacola to Tampa, after his being notified that such an order had been issued, is one of the two prominent features of the campaign that has been very unhesitatingly criticised and condemned in some of the popular prints, it may be well to examine what might have been the consequences, had he abandoned the expedition at that advanced stage of its progress.

In command of a military department, he had received, at a point far distant from the seat of the Federal Government, whence alone special or new instructions could be sent him, the intelligence of a great and unlooked-for disaster having occurred on the extreme southern frontier of the country, occupied by the left wing of his division; he learned the melancholy news that a large white settlement had been *overrun, sacked, and burnt*, and many of the inhabitants killed; the United States agent of Indian affairs murdered; eight valuable officers and ninety-eight brave soldiers of his division cut to pieces by an overwhelming savage foe! and he was aware that the military posts on the borders of the Indian country, viz: Forts Brooke, King, and Drane, with the station at Key West, all within his military department, were without any other work of defence than such as a daring leader, with 500 men, might, at the risk of little loss, take and destroy in a few hours; the garrisons of three of those posts being insufficient for their defence. What, then, was the duty of the commander of the department? Had he hesitated one single moment, he would indeed have merited the stern opprobrium of his fellow-citizens. He did not hesitate. He collected what force he could, and marched immediately for the theatre of war. On the route, and within two days' march (by steam) of the Indian borders, he received a notification that General Scott had been ordered to repair from the city of Washington to Florida, "and take command of the troops operating against the Indians in that quarter." At the same time he was informed that "the state of affairs west of the Mississippi might soon require his attention, if not his presence, in that quarter;" and he was directed to wait further orders in the city of New Orleans. Had hostilities actually existed on the Louisiana frontier, and General Gaines received an order to repair thither immediately, it is difficult to say whether the historian would have approved or condemned his conduct at that stage of the game, had he obeyed the order, and, by so doing, left General Clinch, in expectation of a promised co-operation, to extricate himself as he could from any difficulty into which the failure on the part of General Gaines in preconcerted movements might peradventure throw him. *And without General Gaines, the volunteers, his principal force, were unwilling to proceed*; for, before they left New Orleans, he had pledged himself to accompany them whithersoever they went, and to stand by them as long as they would stand by him, in repressing the rising spirit of savage devastation. Moreover, he was firmly persuaded that the instructions from the War Department, requiring him to await further orders in the city of New Orleans, were forwarded before that Department could possibly have received a detail of the circumstances, which rendered the *immediate* movement to Florida not only proper, but imperative.

A little reflection determined him to continue the movement until the

President should be apprized of all the particular circumstances attending it; or until the officer authorized to operate in his department should make his appearance in person in that part of the country which constituted the principal theatre of the war, or the Indians be subdued, and the security of the frontier re-established. This view of the subject is based upon a sound principle of military law, and is supported by the ablest writers of all enlightened nations, whose arms have been crowned with success. Had General Gaines failed to comply with this wise precept—had he disregarded this sacred injunction, he well knew that he might suffer the enemy to defeat a body of troops expecting his co-operation, and consequently leave the citizens, dwelling within the limits of his command, quivering beneath the upraised tomahawk and the blood-stained scalping-knife.

Was it his duty, under such circumstances, to abandon an expedition on the prosecution of which the safety of the border people possibly hung? or was it his duty to strike promptly at the enemy, if possible subdue him, or at all events endeavor to check his devastations until the President should have notice of his strength, and the determined spirit with which he seemed prepared to carry on the war?

General Gaines proceeded to Tampa bay. On his arrival at Fort Brooke, he learned that the day previous a party of about 100 of the friendly Indians had been attacked near the fort, and driven in by a superior force. The country occupied by the hostile tribes lying between Forts Brooke and King, no communication had been kept up between those posts since the massacre of Major Dade's command; and, consequently, General Gaines, on arriving at the first-named station, was unable to gather any information from which he could form even a tolerable conjecture of General Clinch's strength or movements. But, relying on the co-operation of that officer, he determined, as soon as his horses could be landed, to place a sufficient garrison in the pickets, and, with the remainder of his force, march out to meet him.

Owing to the expense and difficulties attending the transportation of horses from New Orleans by sea, the baggage-train brought with the brigade was necessarily small, and the expectation that the requisite number to complete the train might be procured at Tampa was not realized; the horses and cattle in that vicinity having been stolen or lost during the alarm which broke up the settlement, and drove the families for protection to the fort. Some half dozen Indian ponies were, I believe, all that the quartermaster could procure, to add to the number brought from New Orleans. The question, then, among both officers and soldiers, was, not "what they might get along with," but "what they could do without on their march?" Ten days' rations were issued to the troops, (five of which were to be carried in the haversacks;) and on the morning of the 13th the brigade took the field. The order of march was three columns, with an advance, and a strong rear-guard. The right was four companies of the second artillery, acting as infantry, commanded by Major Belton; the centre, seven companies of the fourth infantry, under Lieutenant Colonel Foster; the left and rear being composed of the Louisiana volunteers, under Colonel Smith and Lieutenant Colonel Lawson. Lieutenant Colonel Twiggs acting as brigadier.

The friendly Indians, who, to the number of seventy-seven, accompanied the brigade, having reported their belief that the war party which

attacked them a few days before was not only formidable, but was probably still encamped on the Alafia river, at a point some fifteen miles from Fort Brooke, and seven from the main road to Fort King, General Gaines made a detour to the right for the purpose of breaking it up, and driving before him this band of marauders. On the second day's march, however, it was ascertained that the enemy had not been at Alafia in any strength; and the troops, having received two additional rations, which had been directed to meet them by water at Warren's, proceeded on their route. On approaching the Withlacoochee, on Dade's line of march, and some thirty miles above Clinch's battle-ground, the friendly Indians expressed their firm belief that a vigorous attack would be made the following day, and urged strenuously that they might be permitted to return home, *i. e.* to Fort Brooke. This faltering on the approach of battle created some surprise, not unmingled with distrust of their fidelity. A half-hour's talk, however, reassured them, and they moved on without evincing any further timidity.

The expected attack, however, was not made; and the brigade arrived without annoyance at Dade's battle-ground, where funeral honors were paid to the gallant band, who had left on the trees around abundant proof of a field nobly contested against an overwhelming foe. The said scene can never be erased from the memory of those who witnessed it, but its images, still vivid in the mind, recall feelings too painful to permit me to dwell longer upon a scene which has already been described by many.

Up to this time, the eighth day since he marched from Fort Brooke, General Gaines had been in hourly expectation of meeting Clinch; and the fall of a towering pine, which in those extensive wilds produces a sound it is difficult to distinguish from the report of distant artillery, and was on two occasions the cause of long and animated discussion among all ranks, whilst at the end of every mile some further indication of Clinch's approach was looked for. Knowing the promptness of that officer, General Gaines could not now but apprehend that some serious obstacle had arisen to prevent the desired junction. Being only about forty miles from Fort King, the general felt bound to proceed thither to ascertain the situation of Clinch's command, and, if possible, gain some information with regard to the movements of the enemy. His only doubt, with regard to the expediency of proceeding thither, was on the score of provisions. This he mentioned to me on Dade's battle-ground, while a party detailed for the purpose was collecting the bodies of the slain for burial. He concluded by saying that the men had with them enough to carry them back to Tampa, if he returned immediately, and that there were abundant supplies; but that if he proceeded to Fort King, he might not find a sufficient provision to make that position the basis of his operations, without embarrassing General Clinch, with whom he desired to co-operate, or General Scott, should he have arrived. I then remarked that an officer had just mentioned to me that the quartermaster had received, before he left Fort Brooke, a letter from the Quartermaster General, notifying him that 120,000 rations had been ordered to Fort King in January preceding. This letter was immediately called for. It was from the Quartermaster General's office, and dated the 19th (nineteenth) of January. The passage that had been referred to was as follows:

"Large supplies of provisions have been ordered from New York, for

Fort King, and thirty thousand rations to St. Augustine, from the same place."

This was the first time General Gaines saw the letter in question, or knew that a large additional supply had been ordered from New York to Fort King. He had brought a large supply of subsistence and forage to Tampa bay, and had written to General Clinch to that effect from New Orleans, intending to make Tampa the basis of his operations. But now, unable to gain the least information of General Clinch's strength or movements, or those of the enemy, in any other way than by proceeding to Fort King, the acquisition of the information above detailed removed the only doubt he had entertained with regard to the expediency of the measure. He decided to push on without delay, and the order to march was given the moment the simple but solemn funeral rites of the band of heroes were concluded. I have been thus precise in this part of my narrative, because a want of knowledge of the circumstances attending this measure has caused the whole movement to be so misconstrued, as to lay General Gaines liable to the charge of dashing heedlessly into the wilderness without any plan of operations; suffering himself to be separated by a wide district of the enemy's country from the depot of his supplies, and thus exposing his men to hardships and privations, as unnecessary as profitless.

But this is the second principal feature of the campaign, that has been most unhesitatingly criticised, of which more anon. To return to the thread of my narrative.

The troops reached Fort King on the 22d of February, without meeting with any accident worthy of remark. A single company of the 3d artillery constituted the garrison of this station. General Clinch, with his principal force, was at Fort Drane, 22 miles to the N. W. With great regret General Gaines now learned that Clinch had not received the expected reinforcements from the northern borders of the Territory, but two volunteer companies having joined him from that quarter. His force was four companies of artillery and one of infantry, and the two companies of volunteers I have mentioned. General Gaines was not less disappointed when he was told that the supply of provisions at these two posts (King and Drane) was little more than sufficient for their support. Whether this disappointment was consequent to a reasonable expectation or not, I shall not pretend to determine. The simple facts, from which must be determined the reasonableness or unreasonableness of the conclusion drawn from the information received by General Gaines, on the battle-ground, are these: The troops had marched from Fort Brooke on the 13th, with ten days' rations. At the Alafia they received two days' rations, brought thither by water—making in all twelve. That is, they were provisioned to include the 24th of February. On the 20th February General Gaines saw the letter of the 19th January, already alluded to. From the date of the letter to the day he saw it, inclusive, is 32 days; and to the 24th February, the day to which his troops had been provisioned, is 36 days. The supplies had been ordered on the 19th—how long before that, he knew not. The facilities of water transportation from New York to the mouth of the St. John's river, and up that river, by steam, to Picolata, whence it is about 70 miles to Fort Drane, and 92 to Fort King, led to the conclusion that in 36 days the supply would have reached its destination. The roads the troops had

travelled were in fine order, the season having been remarkably dry. We were told no rain had fallen from some time in September till the day before we reached Dade's battle-ground, when there was a slight rain.

At Fort King it was learned that preparations were making for the campaign at Picolata, under direction of General Scott. It was thought, however, that he would not be enabled to take the field with any considerable force for some time.

Finding he could expect no immediate co-operation from a quarter where he had expected to meet a considerable force—Clinch's command being barely sufficient to supply the necessary escorts to the provision wagons between Picolata and Fort Drane—and unwilling to draw upon the nucleus of supplies here collecting, General Gaines decided on returning immediately to Tampa bay, and making that the basis of his operations. He informed General Clinch of this, and requested barely a sufficient supply to last him on the march. He had marched from Fort Brooke to Fort King by the main route, the common wagon road. This road is longer by a day's march than the route by Chocochater. He, therefore, determined to return by the latter. It was, indeed, the opinion at Fort King, that the Indians had established themselves near the point at which this trace crosses the Withlacoochee, viz : Clinch's battle-ground. If so, so much the better ; he might beat them by the way ; at any rate, the movement of 1,000 men through the country occupied by the Indians would have the effect of keeping them concentrated, and, therefore, relieve the frontier from petty depredations. Of the 77 friendly Indians who accompanied the brigade from Fort Brooke, ten returned with it, the balance remaining with General Clinch. These men, who acted as guides, promised to find a ford somewhere near the point at which General Clinch had crossed.

On the 27th General Gaines reached the Withlacoochee, at this point ; and a half hour or more had been passed in searching for the ford, when the enemy opened a fire from the opposite bank. The stream is about forty yards wide, but deep and rapid. A few companies were immediately brought into action, and very soon the fire became general from the left to the centre. This skirmish, the first bush-fighting the men had seen, lasted half an hour. The loss of the troops was one killed and seven wounded. The troops encamped near the river, and the guides declared the ford must be about three miles below, where a trail leading to the right struck the river. The next morning, by sunrise, the three columns marched for the point indicated, on reaching which a spirited fire was immediately opened from the opposite bank ; it was quickly returned, and continued, with occasional intermissions, till one o'clock. In the early part of this action, Lieutenant Izard, a gallant soldier, was mortally wounded. The loss this day was one killed and three wounded. The stream at this point also proved too deep to be forded ; and the guides, who had been accustomed to hunt in the lower country, and had not been in this section for many years, were totally at fault. The banks of the stream, however, at this point, were less thickly clad with the customary undergrowth, and the general determined to cross. A detail was accordingly made to prepare canoes, and the flooring of a ponton bridge : and the cheerful sound of the axe was soon mingled with the crack of the rifle and the animating war-cry. At 4 o'clock, P. M. a distant but very loud whooping was heard, which indicated the approach of a large reinforce-

ment to the enemy from the opposite side. The friendly Indians immediately declared it to be Micanopy, whose force they estimated at 800 warriors.

General Gaines, then satisfied that the whole force of the enemy was in the field, considered the opportunity of bringing the war to a close too favorable to be lost. Under this impression, he sent an express to General Clinch, recommending an immediate movement of the force under his command, with an additional supply of ammunition and provisions. Clinch was desired to cross the river some ten miles above, and move down on the left bank. General Gaines added that he would, in the mean time, endeavor to amuse the enemy, prepare his boats, &c. for crossing, but would not cross until he heard from Fort Drane, where General Clinch expected by this time some accession to his force.

By this movement it was believed the two brigades would be enabled to attack the enemy in front and rear at the same time, and probably terminate the war in a few days. The customary log breastwork was thrown up, about three feet high, and the troops slept undisturbed that night. The following morning an attack was thought not improbable from some quarter, and one-third of the men were kept on duty at the breastwork. At 10 o'clock, A. M. the working parties were fired upon, and immediately afterwards a dashing attack was made on three sides of the camp. The Indians advanced boldly, and fired with great rapidity, but not with precision. At one time they set fire to the high grass and palmetto on the windward side of the camp, and made a bold dash under cover of the smoke, which, mingled with flame, came rolling towards the breastwork like a heavy sea. The fire was coolly extinguished, and the audacity of the assailants punished by Louisiana riflemen. The fight lasted till a few minutes past 12 o'clock M., when the enemy withdrew. Their numbers were estimated, by those considered the best judges, at 1,500. The troops, having the advantage of the slight breastwork before mentioned, lost this day only one sergeant killed, and 34 officers and men wounded. Among the latter was General Gaines himself. The loss of the enemy was considerable, the troops firing with a coolness and precision that would do honor to veterans. Nor should the 29th of February be passed without bestowing a word of praise on the marked gallantry of these red assailants, who fought—many an old Indian fighter present said—"as Indians never fought before."

As the Indians had crossed the river, a runner was sent that night to General Clinch, informing him of the occurrences of the morning. In concluding this letter, General Gaines said, "I have abstained, and shall abstain, from a sortie till I hear from you, in expectation that this course will tend to keep them together; whilst a sortie might contribute to disperse them. I am now satisfied that a direct movement to this place is more desirable than to cross the river higher up, as I suggested in my letter of yesterday. I am, moreover, of opinion that, if mounted men can be obtained in a few days, your force should not move from Fort Drane without that description of troops." The Indians move with too much celerity to be pursued in that country, with any chance of success, by any other than mounted men. The following day, March 1, there was light skirmishing, and occasional shots were fired at those who passed out of camp.

On the morning of the 2d of March, an attack was made nearly as

vigorous as that of the 29th, and was kept up for one hour ; but the troops, having raised the breastwork, sustained little loss. It was possible that General Clinch might arrive this afternoon, and many of the men, who were getting hungry, began to look eagerly for his appearance ; though, when they were told that, if he should be detained by the non-arrival of the mounted men, it might yet be some days before they received a supply of provisions, in which case they must be content to dine on horse-meat until they could do better, I do not think there was a man but declared his willingness to do so, as long as there was a prospect of bringing the war to a successful termination by so doing. All the corn in camp was turned in, as common stock, and afforded about a pint per man ; and afterwards some horses were killed, and the meat regularly issued. The 3d, 4th, and 5th of March did not produce any incidents greatly differing from those of the preceding days. The Indians were frequently firing into the camp, by night as well as by day, generally selecting the hour of guard mounting, or parade, when the men were most exposed. Our sharp-shooters, however, kept them at long shots, and their bullets whistled through the camp without doing much execution. On these occasions, as usual, the woods rung with the animating war-cry. During this time the troops lost but one man killed and two wounded.

At 10 o'clock, P. M., on the 5th, some one was heard hailing the camp. It was at first supposed to be a return express from Fort Drane, who was thus giving notice of his approach, lest he should be fired on by the sentinels. He was told to advance. In a few moments a negro called out at the top of his voice, "The Indians are tired of fighting, and wish to come in to-morrow to shake hands." He was told that if they had any thing to say, they might come in the morning with a white flag, and they would be heard ; whereupon he retired, bidding us a hearty "good night." At 10 o'clock, A. M., on the 6th, 300 warriors, or thereabout, drew up in line facing the rear of the camp, at the distance of 450 or 500 yards. After some delay and apparent hesitation on their part, two or three advanced about half way with a white flag. Here they were met by Adjutant Barrow, to whom they communicated their desire to have a talk with General Gaines. Captain Hitchcock, acting inspector general, was then sent to hear what they had to say. He returned and reported that the Indians did not wish to fight any more, but that they were desirous that the troops should withdraw from the Withlacoochee. They said they had lost a great many warriors, and were unwilling to lose any more, except in the course of nature, or perchance by the fall of a forest tree. The celebrated Ocoola was much dejected and apparently subdued in spirit. Captain Hitchcock was directed to return and tell them that a large force would soon be in the field, and the inevitable consequence of their refusing to come to terms would be the destruction of a great portion of the nation. They expressed a desire to treat with General Gaines, and said they would hold a council on the subject, and give their answer in the afternoon. They returned at the appointed time, and again expressed their desire to make peace with General Gaines, but said their act could not be binding without the sanction of Micanopy, the principal chief, who had gone to his town. They said they would send for him and then sign a treaty. Captain Hitchcock then communicated to them what he had been instructed to say, viz : that General Gaines had no authority to treat with them ; but that if they would return to the south side of the Withlacoochee, and

remain there without molesting the inhabitants of the country, until the United States commissioners should appoint a time and place to meet them, they should not, for the present, be disturbed. The chiefs present gave their promise to do so. At this moment General Clinch's advance came in sight of the party that had accompanied the chiefs, and, not knowing what was passing at the camp, wheeled into a line and poured a volley upon the Indians, who immediately fled and crossed the river, as did the chiefs who were with Captain H., fearing, no doubt, that they would be shot down. This broke up the conference.

The brigade with Clinch were met with heartfelt greetings. He brought the greater part of the garrison from Fort Drane, and a squadron of mounted men, raised in the counties immediately north of Fort Drane; and with them all the supplies his slender means of transportation would allow, together with 40 head of beef cattle. From this time up to the 9th March the Indians remained true to their promise to abstain from hostilities; our men having frequently, during these days, fished and bathed in the river without molestation. Micanopy, however, did not arrive, and General Gaines decided this day (see order No. 7) to place the troops under the command of General Clinch, whose gallantry and decision had proved him so worthy of the trust; and prepared to return immediately to New Orleans, in pursuance of the instructions he had received at Pensacola.

On the 10th General Clinch took up the line of march for Fort Drane. That night a negro, who had a wife among the hostile Indians, and among whom he had been sent on the 8th, returned and reported that they assured him of their intention to adhere to their promises; and told him they would meet the whites on the Withlacoochee in five days, and bring with them all the principal chiefs. They said they had seen our men fishing, but, desiring to be at peace, did not fire on them.

The troops encamped about three miles south of Fort Drane; thither General Gaines proceeded, and soon after set out on his return to New Orleans, by the way of Tallahassee and Pensacola. At New Orleans he received the instructions from the War Department relative to this frontier, and immediately proceeded to Fort Jesup.

This is a rough sketch, but you may rely on the facts; and you are at liberty to make use of the letter, if you think proper, for the information of the public.

With constant regard, I am your most obedient servant,

GEO. A. McCALL,
Acting Assistant Adjutant General.

No. 5.

[FROM THE ARMY AND NAVY CHRONICLE OF SEPTEMBER 29, 1936.]

General Gaines and the Seminole Campaign.

We have received a letter from Captain G. A. McCall, aid-de-camp to General Gaines, requesting us to insert in the Chronicle the letter from him to a friend, which appeared in the New Orleans Bulletin, and furnishing a few additional paragraphs by way of a postscript.

By reference to the Chrolicle of the 11th ultimo, it will be seen that the first part of this request had been anticipated. We have, therefore, only to comply with the other portion, by publishing the following

POSTSCRIPT.

Although the promptness with which General Gaines repaired to Florida has been very generally commended; and his determination to strike boldly at the enemy whilst the season was favorable for rapid movements has been approved; the very pertinent question has lately often been asked, "Why did he remain idle for several days on the Withlacoochee, while the Indians were within striking distance; why did he not make a *sortie*?" To this question, the answer is plain. He did not wish, by a premature move, (the effect of which would have been comparatively unimportant,) to frustrate the ulterior object of the campaign—the complete subjection and removal of the Indians.

There were numbers at Fort Izard, on the 29th of February, who would have sprung like the young war-horse, to head a *sortie*, or lead a charge against the Mickasukee and the Seminole; but the general was convinced that a *sortie* at that time would be productive consequences that would retard the successful termination of the campaign, by dispersing the Indians, and possibly driving them into a part of the country inaccessible to the troops, namely, the Everglades.

One decisive victory over the Mickasukee and Seminole tribes would perhaps have resulted in their complete overthrow. But any one acquainted with the country, and the Indian mode of fighting, knows that this would have been the work of several days. In an engagement between well-disciplined troops, who *will* stand to it, and take hard knocks upon hard knocks, until one or the other of the parties is fairly beat down, a splendid and decisive victory may be achieved in a few hours; but an engagement with these Indians, to result in permanent advantages, it was well known, must be a succession of running fights from hammock to swamp, and must be kept up for days. The troops at Fort Izard had neither ammunition nor provisions for perhaps a ten days' pursuit, and a *sortie* would have been worse than useless, had it not been rigorously and uninterruptedly prosecuted to a successful termination.

As has already been stated, General Gaines received at Fort King a supply barely sufficient to carry him to Tampa. But as soon as it was ascertained that the united Mickasukee and Seminole tribes were in full force in the vicinity, he informed General Clinch of the fact, and requested a further supply, stating his belief that, by a combined movement of the two forces, the war might be terminated in ten days.

Having despatched this letter, General Gaines resolved to do nothing that would tend to disperse the Indians; but quietly to await Clinch's arrival, and then make a *sortie* that would carry him several days' march into the fastnesses of the enemy's country, where it was believed the women and children were secreted: for he was satisfied that the complete subjugation of the savages could be accomplished only by a decisive victory, followed by the capture of the women and children. In the mean time, the Indians were wasting their ammunition without doing material injury. They were almost constantly at it, and fired at least one hundred shots to our one; the men at the breastworks having positive

orders not to fire a single shot without good aim at a distant object, within fair striking distance.

These are the reasons a sortie was not made during the time the brigade remained on the bank of the Withlacoochee waiting Clinch's arrival. But, before General Clinch arrived, the Indians *sued for peace*, and promised to remain quiet until the United States commissioners should appoint a time and place to treat with them. And General Gaines having promised that they should not be disturbed if they remained quiet on the south side of the river until they heard from the commissioners, felt bound to observe towards them the same strict regard to his word that he would have observed to the most powerful people on earth. The Indians complied strictly with their promises ; for although the troops were afterwards encamped at different points within five or six miles of Fort Drane, the Indians never fired a rifle until they found accumulated forces in hostile array advancing on the Withlacoochee in their different directions.

In conclusion, I will merely remark that the idea of the brigade at Fort Iward having been beleaguered and unable either to advance or fall back is ridiculous and without foundation. General Gaines would hardly have ordered General Clinch to move down with five hundred men, had he considered himself unable to drive the Indians before him with one thousand.

G. A. M.

GENERAL ORDER, No. 13.

HEADQUARTERS OF THE ARMY,

Adjutant General's Office, Washington, March 21, 1837.

The following Order has been received from the War Department, and is published for the information of all concerned.

By order of Major General Macomb :

R. JONES,
Adjutant General.

WAR DEPARTMENT, *March 21, 1837.*

A Court of Inquiry, of which Major General Macomb is President, convened at the city of Frederick, Maryland, on the 28th of November, 1836, pursuant to General Orders Nos. 65 and 68 of that year, for the purpose of inquiring and examining into the causes of the failure of the campaigns in Florida against the Seminole Indians, under the command of Major General Gaines and of Major General Scott in 1836; and the causes of the delay in opening and prosecuting the campaign, in Georgia and Alabama, against the hostile Creek Indians in 1836, and into every subject connected with the military operations of those campaigns; also, to inquire and examine into the unauthorized reports and publications of officers of the army.

The Court, after duly examining all the testimony offered in the several cases, pronounced the following *Opinions* thereon:

1st. *Opinion of the Court in reference to the failure of the campaign in Florida, conducted by Major General Scott, in 1836.*

“The Court finds, from a review of the testimony, that Major General Scott was ordered, on the 21st of January, to take the direction of the Florida war, with full authority to organize a regular and volunteer force sufficient, in his judgment, with a view to bring the war to a speedy termination; that under this order he proceeded to Augusta, Georgia, where he arrived near the last of January, and commenced organizing the service; that he proceeded thence to Milledgeville, for the purpose of consulting with the Governor of Georgia on the subject of the Creek difficulties, and in hastening the preparations for operations in Florida; that he returned to Augusta on the 6th of February, and arrived at Savannah on the 9th, where he was occupied in regulating the supplies and movements of the troops for Florida until the 20th; that he arrived at Picolata on the 22d, and was detained there until the 9th of March, awaiting the arrival of troops, both regulars and volunteers, also transportation and supplies, and in forwarding the same to Fort Drane and Volusia—his plan of campaign being to move in three divisions simultaneously from Fort Drane, Volusia, and Tampa, upon the Withlacoochee, the stronghold of the enemy; that, on the 9th of March, General Scott proceeded to Fort Drane,

with a small escort, with supplies for the relief of General Gaines's forces on the Withlacoochee, and arrived at Fort Drane about the 14th, where he was detained until the 25th, to give time for the left wing and the centre of his army to put themselves in position, and also in awaiting the arrival of supplies, to enable him to commence operations. These supplies were delayed for the want of additional means of transportation, momentarily expected from Savannah; the few teams already in use being nearly exhausted by the bad state of the roads, and the constant and heavy labor imposed on them. On the 26th of March, General Scott commenced his movement from Fort Drane for the Withlacoochee with the right wing of his command, consisting of about 1,968 regular and volunteer troops, and with eighteen days' rations; that he reached Camp Izard, on the Withlacoochee, on the morning of the 28th, where the Indians, from the opposite bank of the river, fired into the camp. Preparations being made, the troops commenced crossing the river the next morning at 4 o'clock; during the crossing, the rear division was attacked, but the enemy was driven. On the morning of the 30th, the army, having crossed, proceeded up the river in search of the enemy, whom they discovered, about 10 o'clock, in small parties on an inland in a chain of lakes; the troops advanced to the attack, when the Indians retired, and were pursued about four miles, but not overtaken. The next morning the Indians were again discovered on another island, surrounded by broad and wet savannahs, and so boggy that it was with difficulty the troops could struggle through them. The Indians were attacked, dislodged, and pursued three or four miles, when they eluded the pursuit by crossing the river. In this pursuit the troops became several times engaged, but the enemy was always dislodged, and driven from the hammocks. Finding it impossible to pursue the enemy across the river, and being twenty-four hours without provisions, the troops returned to their baggage-train and encamped. On the 1st of April the troops proceeded on the march, and established a post of observation called Fort Cooper, at the southeastern extremity of a chain of lakes, leaving there a part of the force, with seventeen days' provisions, and reserving only enough subsistence to carry the remainder to Tampa bay, where they arrived on the 5th of April, after a fatiguing and difficult march, making the road the whole distance. The loss of the troops in the several rencounters was four killed and nine wounded.

"The left wing, under General Eustis, after scouring the country between St. Augustine and Volusia, via Tomoca, commenced crossing the St. John's at Volusia, on the 22d of March, when it was attacked by the enemy, who was repelled at all points, and retreated to his fastnesses, after a loss on the part of the troops of three killed and nine wounded. One Indian was found dead, and evidences of four others being thrown into the river. On the 24th, a subaltern's command of mounted men fell in with a party of twelve or fifteen Indians, and killed two. On the 25th, the left wing, consisting of four companies of United States artillery, Colonel Goodwyn's mounted regiment, Colonel Brisbane's regiment of foot, and Elmore's volunteers, concentrated, and, on the 26th, commenced the march for Pelaklikaha, by the upper crossing of the Ochlawaha, with 1,400 men, and thirteen days' rations, leaving at Volusia two of Brisbane's companies. The route being difficult, the troops made only seven miles by the evening of the 27th, and were obliged to build bridges over the Ochlawaha, the Withlacoochee, and one intermediate stream.

On the 29th, after crossing the Ochlawaha, an Indian of note, Ayah Hahjah, was killed by Colonel Shelton, who was wounded. On the 30th the advance was attacked at Oakahumpky swamp, and three men killed; the hammocks were scoured, and the Indians discovered, and driven into a swamp inaccessible to the troops, one of whom was wounded. The enemy retreated whenever the troops approached to within 200 yards. On reaching Pelaklikaha, the villages were found to have been abandoned, perhaps for several weeks; cattle and ponies were abundant in the neighborhood; the houses and fences were burnt by the troops. It being impossible to obtain provisions from Fort King, and the horses being too much exhausted to draw provisions from Volusia, and General Scott having crossed the Withlacoochee south, on the 28th, with the right wing, the left wing moved on the main road from Fort King to Tampa, where the horse of that wing arrived on the 5th of April, leaving the foot at a position fifteen miles from that place.

"The centre, under Colonel Lindsay, consisting of from 1,000 to 1,200 men, organized at Tampa about the 13th of March. Large fires being discovered in the direction of the Alafia, the battalion of Florida volunteers was sent in that direction, where they surprised a party of Indians, killing three and capturing six ponies. On the 15th the centre moved upon the Hillsborough, on the main road to Fort King, and on the 20th established a post called Fort Alabama, with a view of bringing supplies near to the scene of hostilities in the direction of the Withlacoochee, leaving there the Florida battalion under Major Read, the remainder of the troops marching back to Fort Brooke, (Tampa,) where a despatch was received from General Scott, giving the plan of the campaign, and requiring the centre to be at Chickuchatty by the 25th to co-operate. On the 22d the march was commenced; the battalion at Fort Alabama was taken up, leaving at that post one company and thirty sick. The route lay through a hilly country, abounding in hammocks. After passing Elochuto, the Indians, taking advantage of their coverts, began to annoy the rear and flanks of the column; a flanker was killed, and another wounded, whilst passing a dense hammock. The hammock was scoured and the Indians driven out. During the night, at the encampment, parties of the troops were fired on by the Indians from a hammock contiguous to a pond which furnished water for the troops; the Indians were dispersed by a round of canister. On the 27th, the Indians still continuing their annoying attacks, always firing from ambush, one of our men was killed, and two wounded. The column halted at noon, when an attack was made upon the rear, but, upon a brisk return of the fire, the Indians disappeared. On the 28th, when encamped at Fort Brodnax, near the Chickuchatty, the Indians commenced a fire on the horses and the party guarding them. A detachment was sent out, which drove the enemy without loss to the troops. On the 30th, provisions being scarce, two parties of mounted men were sent in pursuit of cattle, covered by a force of two hundred and fifty men; they brought in a supply sufficient for four days. During that day the friendly Indians attached to the command killed a chief called Charley Fixico, a leader of about eighty-five men. That night the sentinels were fired upon occasionally, and also on the 31st, but without injury. On the same day an attempt was made to procure more beef. Being sixty miles from the depot, with barely enough provisions to reach it, without any prospect of being able to keep the

field for the purpose of co-operation, and having obtained no response to the signals made for eight days in succession, Colonel Lindsay deemed it advisable to return to Tampa, where he arrived on the night of the 4th of April. In the interval between the departure from and return to Fort Alabama, that post was attacked by a force of between three and four hundred Indians, which resulted in a loss on the part of the troops, after an action of two hours and twenty minutes, of one killed and two wounded; the supposed loss of the enemy was fifteen killed. The enemy continued to lie around the work in considerable force, both day and night, until the return of the centre column.

"The several columns which arrived at Tampa about the 5th of April remained at that place until the 14th, for the purpose of recruiting the men and horses, which had become much exhausted from the heat of the weather, and the fatiguing and difficult marches. The army was here divided into five detachments. Colonel Smith, with the Louisiana volunteers, was detached to Charlotte harbor and up Pease creek, accompanied by a naval force; when, after operating some days up the country, and discovering no Indians, he returned to Tampa, and thence to New Orleans, where the volunteers were discharged.

"The Florida volunteers, under Major Read, were sent to the mouth of the Withlacoochee, to operate up that river. The object of this expedition was not effected, and the troops were conveyed to St. Mark's and Tallahassee, where they were discharged.

"The right wing, under General Clinch, consisting of 278 artillery, 43 dismounted dragoons, 202 infantry, 139 Augusta volunteers, and 140 mounted men, marched for Fort Drane, via Fort Cooper, on the Withlacoochee, making short marches, in consequence of the heat of the weather and the debilitated condition of the horses. On the 18th, (three miles from Fort Cooper,) General Clinch despatched two companies with light wagons, with instructions to Major Cooper to join him. The detachment was fired upon from a hammock, and one lieutenant and a private severely wounded. The enemy fled. Fort Cooper had been invested from the 5th to the 17th of April, with a loss of one killed and five wounded: the force of the enemy estimated at 250. On the 22d, one of the flankers was fired on from a hammock; when prompt pursuit was made, but without effect, the Indians retiring through a thick undergrowth. The troops reached Fort Drane on the 25th, the men and horses much exhausted by sickness and the heat of the weather. Another day's march would have occasioned the abandoning the train. Fifteen horses and mules died on the road, and eight were turned out that could not be got along by leaning. The term of service of the volunteers having expired, they returned to their homes. On the 20th the enemy made an attack on Fort Drane, but were repulsed by the garrison: they carried off some negroes and horses.

"The left wing, accompanied by General Scott, moved, via Pelakli-kaha and the upper crossing of the Ochlawaha, for Volusia. On the night of the 22d of April, the camp was fired upon by a party of six or eight Indians. They were pursued at daylight, without any result. On the 24th a party of the enemy was met, but with no other result than the capture of their horses and packs, the enemy escaping into the hammocks. A body of the left wing reached Volusia on the 25th. All the volunteers of the left wing marched under Colonel Goodwyn for St. Au-

gustine on the 26th, via Tomoca. The regulars were left to garrison Volusia and superintend the evacuation of the post, which had become very sickly.

"The centre column, under Colonel Lindsay, moved for the forks of the Withlacoochee. Passing over the Hillsborough, a wagoner was killed by the Indians; and on that night the Alabama regiment was fired on, and a sentinel wounded. The remainder of the march was effected without annoyance from the enemy. No signs of Indians were discovered on the Withlacoochee. Being encumbered with the sick, the troops returned to Fort Alabama. The wagon-train was insufficient for the removal of the sick alone to Tampa, and the absorption of the post of Fort Alabama was necessarily deferred until the army could return with its transportation from Tampa, relieved from the encumbrance of the sick. The march to Tampa was uninterrupted by the enemy; and, after resting a day and a half, Colonel Chisholm, with the Alabama regiment, and four companies of infantry and twenty artillery, returned to remove all the public property and stores from Fort Alabama. The troops reached Fort Alabama, and, on their return march, were attacked about three o'clock in the afternoon of the 27th, as the advance guard was preparing to cross Thlonotosassa creek; the Indians firing from a dense covert on the front and both flanks of the column. The fire was vigorously returned by the troops, and, after twelve or thirteen rounds from a field-piece, Colonel Foster, at the head of the infantry, charged into the hammock, attacked, and drove the Indians, estimated at three hundred, and thus put an end to the conflict, which had been kept up for an hour; resulting in a loss, on the part of the troops, of five killed and twenty-four wounded. The troops reached Tampa the next day, and the volunteers returned to their homes; the rainy season having set in, and the weather so hot as to render it impossible to keep the field without a great sacrifice of life.

"The strength of the enemy during the campaign is estimated by General Scott not to exceed 1,200 fighting men; and he is of opinion that not more than 500 had at any time, since the commencement of the hostilities, been brought within the same ten miles square; and that in all his operations for thirty days, no party larger than 130 had been found, but that parties from 10 to 30 had been encountered almost everywhere.

"After the return of the troops from Tampa to their several positions, General Scott deemed it necessary, in consequence of the extreme heat of the weather, and the sickness of the troops, to put them into summer quarters, which was approved by the Secretary of War, in a letter of the 5th of May from the Adjutant General; and thus closed the campaign.

"The Court, after a full consideration of the foregoing facts, and the testimony from which they are drawn, comes to the following Opinion:

"The Court, after a careful review of the great mass of testimony taken in the foregoing investigation, finds that Major General Scott was amply clothed with authority to create the means of prosecuting the Seminole war to a successful issue; but is of opinion that, at the time he was invested with the command, the season was too far advanced for him to collect, appoint, and put in motion his forces, until a day too late to compass the object. It appears that, after using great diligence and energy, he was not in a condition to take the field, and enter the enemy's strongholds, before the 28th of March; and then, without sufficient means for

transporting the necessary supplies to enable him to remain there long enough to seek out the scattered forces of the enemy.

"The Court, therefore, ascribe the failure of the campaign to the want of time to operate, the insalubrity of the climate after the middle of April; the impervious swamps and hammocks that abound in the country occupied by the enemy, affording him cover and retreat at every step; an absence of all knowledge by the general, or any part of his forces, of the topography of the country; together with the difficulty of obtaining, in time, the means of transporting supplies for the army.

"The Court is further of opinion, from the testimony of many officers of rank and intelligence, who served in the campaign, that Major General Scott was zealous and indefatigable in the discharge of his duties; and that his plan of campaign was well devised, and prosecuted with energy, steadiness, and ability."

2d. Opinion of the Court in reference to the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in 1836.

"The Court finds, from a careful review of the testimony, the following facts: That, under instructions from the War Department of the 16th May, General Scott arrived at Augusta from Florida on the 25th May, on his way to take the direction of the Creek campaign, having, previously to leaving Florida, ordered essential stores from Picolata, St. Augustine, Charleston, and Savannah, to Hawkinsville, on the Ockmulgee, within seventy-five miles of Fort Mitchell; and had also ordered 250,000 complete rations from New Orleans to the highest navigable point on the Chattahoochie; that he despatched ten wagons with subsistence from Augusta on the 28th May for Columbus, and appointed an agent, and sent him to Hawkinsville, to hasten on supplies and purchase subsistence; that he proceeded himself to Columbus, where he arrived on the 30th May, and directed the Georgia volunteers, already assembled there, about 1,500 to be mustered into service, and distributed over a line of 40 miles on the river above and below Columbus, to prevent the escape of the Indians towards Florida, and also the employment of two armed steamers cruising up and down the river for the same purpose. That on the first of June he ordered General Jesup to Montgomery, to take command of the Alabama troops, and to operate up the country from a point below Irwinton. That he was engaged in organizing the Georgia militia, and collecting supplies and arms, up to the 23d of June. That on the 12th of June there had arrived at Columbus 3,300 Georgia volunteers, but not more than one-third were armed. That General Moore arrived at Irwinton about the 14th June, with 750 mounted Alabamians, with a view of commencing operations forthwith; but that he was instructed by General Scott to await his arrival in that quarter. That General Jesup, unexpectedly to General Scott, arrived about the 17th June in the neighborhood of Fort Mitchell, with the Alabama forces from Tuskegee, calling on General Scott for supplies, which had not then arrived from New Orleans. That on the night of the 20th of June, 1,000 muskets arrived, and were distributed to the Georgia volunteers on the 21st June, who were immediately ordered to the mouth of Cowaggee creek on the Chattahoochie, below the enemy. That companies of the regular troops com-

menced arriving on the 14th, and to the 20th, when two battalions were marched down the river. The first detachment of marines arrived on the 23d, and marched immediately below ; the last detachment of marines arrived some days after.

"That General Scott left Columbus on the 23d, to commence operations below, and was actively engaged from that time until the 6th of July, when he was recalled from his command by the instructions of the President of the 28th of June ; and that he turned over the command to General Jesup on the 8th of July.

"The Court, after a full consideration of the foregoing facts, and of the testimony from which they are drawn, comes to the following Opinion :

"Upon a careful examination of the abundant testimony taken in the foregoing case, the Court is of opinion that no delay, which it was practicable to have avoided, was made by Major General Scott, in opening the campaign against the Creek Indians. On the contrary, it appears that he took the earliest measures to provide arms, munitions, and provisions for his forces, who were found almost wholly destitute ; and as soon as arms could be put into the hands of the volunteers, they were, in succession, detached and placed in positions to prevent the enemy from retiring upon Florida, and whence they could move against the main body of the enemy, as soon as equipped for offensive operations.

"From the testimony of the Governor of Georgia, of Major General Sanford, commander of the Georgia volunteers, and many other witnesses of high rank and standing, who were acquainted with the topography of the country, and the position and strength of the enemy, the Court is of opinion that the plan of campaign adopted by Major General Scott was well calculated to lead to successful results, and that it was prosecuted by him, as far as practicable, with zeal and ability, until recalled from the command."

3d. *Opinion of the Court in reference to the failure of the campaign in Florida, conducted by Major General Gaines, in 1836.*

"The Court took up the testimony in reference to the campaign in Florida under Major General Gaines, and, after a careful examination, finds that Major General Gaines, on receiving at Mobile, about the 17th of January, 1836, information of the massacre of Major Dade and his command by the Seminole Indians in Florida, repaired with promptness to the city of New Orleans, where he, with great zeal, organized a force of regular and volunteer troops, amounting to about 1,100 men, and proceeded without delay to Tampa bay, where he arrived about the 10th of February, and, after making preparations for the field, marched on the Fort King road on the 13th, and reached Dade's battle-ground on the 20th, where he buried the meritorious dead with the honors of war. He then proceeded for Fort King, where he arrived on the 22d. After drawing nine or ten days' supply of subsistence from Fort Drane, and receiving a small supply of ammunition, he marched on the Withlacoochee, where he arrived on the 27th, and encountered the same day the enemy across the river, in a sharp conflict of half an hour, when the troops withdrew for the night, after a loss of one killed and six wounded. On the morning of the 28th the troops marched down the river to a point two and a

half miles below, where it was understood the crossing was practicable. Here the advance of the army was fired upon from across the river, and an action ensued, which continued until twelve or one o'clock, in which Lieutenant Izard was mortally wounded. The army here encamped that afternoon, and an express was despatched by Major General Gaines to General Clinch, or the officer commanding at Fort Drane: the troops in the mean time throwing up a slight breastwork of logs. On the morning of the 29th, at 9 or 10 o'clock, the enemy, in force estimated at about 1,000 or 1,500 men, made an attack on three sides of the fortified camp, which was continued for two hours, when he withdrew, leaving one of his dead on the field. On this day another despatch was sent by Major General Gaines to Fort Drane. From the 2d of March to the 5th, the enemy made more or less spirited attacks upon the camp; in which several conflicts, the loss on the part of our troops amounted to some three killed and about forty wounded.

"On the night of the 5th of March, a proposition was made from the woods, by the enemy, for peace. On next day, a strong party of Indians appeared within five hundred or six hundred yards of the camp; a few of whom advanced with a flag to within one hundred and fifty to two hundred yards; and Adjutant Barrow, of the volunteers, was sent out to confer with them, when they informed him they did not wish to fight any more, but wanted General Gaines to go away; upon which information, General Gaines sent out Captain Hitchcock, who was accompanied by two or three officers, to hold a further conference with them. The Indians repeated to him their proposition for peace, and stated they had lost a great many of their men. Before the conference was finally closed, the advance of the troops under General Clinch came up, and commenced a fire upon the Indians standing in the rear, when they and the chiefs in council fled, and covered themselves in the hammocks, and were no more heard of up to the 10th of March, when the army (the command of which had been turned over by Major General Gaines to General Clinch the day preceding) fell back upon Fort Drane, where it arrived on the 11th.

"The Court, after carefully reviewing and collating the testimony of Captains Hitchcock and McCall, Colonel Twiggs, General Smith, and others, in reference to the operations and peculiar situation of the army at Camp Izard, finds it difficult to come to a conclusion as to the real causes of the failure of the campaign. It appears, although the army was surrounded and repeatedly assailed by the enemy in its fortified position from the 29th of February to the 5th of March, and straitened in the means of subsistence, that, however important to the chivalry and reputation of the troops, no sally was made to test the result of such a movement, which it is *possible* might have issued in the defeat and subjection of the enemy, and have brought the war to a close. But the Court, however, judging from subsequent events in prosecuting the war under other commanders, and the indomitable spirit of hostility evinced by the enemy, is of opinion that, had a sortie been made by Major General Gaines, though he might have been able to beat and drive the enemy into the surrounding hammocks and swamps, they would have eluded pursuit and retired to their more remote fastnesses. But, if such had been the result of a sortie, Major General Gaines had not the means of subsistence to have enabled him to remain long enough in or about the cove of the Withlacoochee to seek out the enemy and press the war to a

successful conclusion. Still, the Court, without impugning the motives that influenced Major General Gaines, is of opinion that a sortie, under all the circumstances of the case, should have been made.

"The Court, therefore, in taking a full and impartial view of all the circumstances appertaining to the operations of Major General Gaines at Camp Izard, is of opinion that the failure of the campaign should rather be attributed to the want of the means of subsistence to prosecute the war, than to the contingent result of a sortie.

"The attention of the Court was next called to a consideration of the publication of Major General Gaines's official report on the 4th of July, 1836, to the Adjutant General, in the public prints. The fact of its publication in the "New Orleans Bulletin" of the 27th of September, is admitted by Major General Gaines (as will appear in the proceedings of the Court) as authorized by him, and without any authority but his own action. The Court is not aware that its publication in the public journals as late as the 29th of September, is in violation of any rule or regulation of the service : but it is of opinion that all publications in the public prints tending to excite public opinion, or to produce recriminations between officers, are prejudicial to the interests of the public service and injurious to the discipline of the army. The publication of the official report of Major General Gaines, of the 4th of July, to the Adjutant General, is considered by the Court as falling under publications of this description, by its personal allusions.

"The Court cannot close its proceedings without adverting to the strain of invective and vituperation used by Major General Gaines, in the language generally of his summary of the evidence touching the operations of the Seminole campaign ; particularly the part of it couched in the following terms : '*the atrocious machinations of the second United States general officer who has ever dared to aid and assist the open enemy of the republic in their operations against United States forces employed in the protection of the frontier people. The first great offender was Major General Benedict Arnold ; the second, as your finding will show, is Major General Winfield Scott*'—assertions without facts or circumstances to sustain them, and unbecoming his (Major General Gaines's) high rank and station ; remarks and assertions which the Court condemns in the most decided terms of reprehension.

"The Court, in continuation, feels itself compelled to notice the censure in the official letters of Major General Scott (spread upon the record of these proceedings) cast upon Major General Gaines, in reference to his operations in Florida ; and in a tone of language that could not be otherwise than offensive to the latter general ; and in terms, the Court is of opinion, not called for under the circumstances of the case, and ought not to have been indulged in."

4th. *Opinion of the Court in reference to unauthorized reports and publications of officers of the army.*

"The Court took into consideration a communication from Captain Hitchcock, of the 11th of March, 1836, to the honorable Mr. Lyon, of Alabama, published in the Globe of the 2d of April, 1836, detailing the operations of Major General Gaines in his campaign against the Seminole Indians in Florida, in 1836, and finds that its publicity was made

with the approbation of Major General Gaines, and does not violate any regulation or rule of service ; that it appears to be a narrative of facts assumed by the writer, without any comments or reflections injurious to the public service ; and the Court cannot, therefore, see that there is any necessity for further investigation into the subject.

“The Judge Advocate laid before the Court a number of ‘The Globe’ of the 8th of April, 1836, containing a publication purporting to be from the pen of Major General Jesup, commenting on the letter of Captain Hitchcock of the 11th of March ; also, a letter of the 2d of June, addressed by Captain Hitchcock to the editors of ‘The Globe,’ and published in that paper of the 4th of June, in reply to the publication having the signature of Major General Jesup. In viewing the contents of the letter of Captain Hitchcock of the 2d of June, it purports to be a justification of the premises assumed in his letter to Mr. Lyon of the 11th of March, and contains nothing contrary to the regulations of the army.

“The Court was called to consider a publication made by Captain McCall, addressed to the editor of the New Orleans ‘Bulletin,’ under date of the 18th of May, 1836, and published in the ‘Army and Navy Chronicle’ of the 11th of August, 1836 ; also, a postscript or notes to said letter, published in the ‘Army and Navy Chronicle’ of the 29th of September, 1836. The purport of the letter and postscript is a detail or narrative of the campaign of Major General Gaines against the Seminole Indians in Florida in 1836. But as the publications were made more than a month after the campaign was closed, the army regulations were not violated thereby.”

The proceedings and opinions in the foregoing cases have been submitted to the President, and are approved.

The Court of Inquiry is dissolved.

J. R. POINSETT,
Secretary of War.

[*To be Appended to Doc. No. 78.*]

MARCH 3, 1838.

Printed by order of the House of Representatives.

DEPARTMENT OF WAR,
February 26, 1838.

SIR: Since the answer of this Department, dated the 6th ultimo, to the resolution of the House of Representatives of October 11,* 1837, has been printed, it has been found, on examining it, that copies of a considerable portion of the correspondence with General Jesup, called for by the resolution, were accidentally omitted to be furnished. These copies have since been prepared, and I have now the honor, herewith, to transmit them.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Hon. JAMES K. POLK,
Speaker of the House of Representatives.

DEPARTMENT OF WAR,
October 7, 1837.

SIR: I have had the honor to receive your letter of the 22d ultimo, in reference to your redemption from the Creek warriors, of the slaves captured by him.

This measure is sanctioned, and the terms will be complied with, by the Department.

With respect to the final disposition of the slaves, great care must be taken that, as far as practicable, such of them as are runaways should be restored to their owners. The remainder must be kept in safe custody; and, if possible, in such a manner as will enable them to earn the value of their subsistence till the close of the war; when, if deemed expedient, those belonging to the Indians can be restored to them, the residue remaining for such disposition as may be deemed proper. There does not seem to me to be any authority with the Executive to send them to Africa, but that measure can be recommended to Congress for its sanction.

Very respectfully, your obedient servant,

J. R. POINSETT.

To Major General THOS. S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,
October 7, 1837.

SIR: Your letter of the 25th ultimo has been received. The Governor of Alabama has been written to respecting the battalion of volunteers offered by General Moore. Should that gentleman succeed in raising them, the Department leaves it to you to take the necessary measures to have them mustered into the service.

Measures have been taken to raise about five hundred men in Phila-

* This is an error, it should be 4th of October.

delphia, to be attached to General Smith's regiment from Louisiana, and it is expected that that number will soon be obtained, and take passage for Tampa Bay. All the other troops for the campaign will be sent forward as soon as the transports are ready to convey them.

Brigadier General Wallace, of the Virginia militia, who is represented to be a good officer, has expressed an earnest desire to serve in Florida. He has been told that if he will raise a battalion of volunteers, he can accompany them; and that, if practicable, you will give him employment suited to his rank.

Great care should be taken to secure the prisoners captured by General Hernandez. Would it not be well to send them at once out of Florida? to Charleston, for instance, where they could be safely confined till the close of the war.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To Major General THOS. S. JESUP,
Garey's Ferry, Florida.



DEPARTMENT OF WAR,

October 12, 1837.

SIR: In compliance with your wishes, the acting Governor of Alabama has been requested to comply with the suggestions contained in your letter of the 2d instant, in respect to the troops which you say have been raised in North Alabama for service in Florida.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To Major General THOS. S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 13, 1837.

SIR: The Cherokee deputation, mentioned in my letter of the 4th inst., as being likely to proceed to Florida, I request that you will afford such aid as will enable them to proceed on their mission of peace, taking care, however, to send some trusty person and interpreter with them as to ensure a faithful report of all their interviews and proceedings. It is not intended that these negotiations, whatever may be the result of them, should affect or delay your military operations; and the whole matter is confidently committed to your discretion.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 14, 1837.

SIR : The Department has confided to Lieutenant Powell, of the navy, the charge of an expedition planned by him to explore, by boats, the Everglades, and co-operate with the column destined to move near that part of the peninsula.

He will be furnished with a detachment of one hundred seamen, and the proper officers to command them ; and I have to request that you will provide him with one hundred men, to be detached from the army in such manner as to be commanded by officers that will not rank him. He will take with him boats, arms, and all things necessary to prosecute his enterprise ; and it is the intention of the Department to furnish the detachment with an officer of the topographical corps, in order to give the results of this reconnoissance.

I cannot but believe that this expedition, under the command of an active, enterprising officer, if the materials are well selected, will be attended with important consequences ; and I hope that you will extend to Lieutenant Powell all the aid in your power to enable him to prosecute it with advantage.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 16, 1837.

SIR : The bearer, Lieutenant McLean, of the marine corps, has been authorized to raise, in Georgia, a battalion of volunteers for service in Florida. Should he not succeed in accomplishing this object, I have to request that you will give him some command that may be proper, and which he is willing to accept ; or, if this be not in your power, that you will attach him to your staff, in some capacity where he may display the desire he entertains of rendering himself useful.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP, *Florida.*

DEPARTMENT OF WAR,

October 23, 1837.

SIR : Your letters of the 10th and 15th instant have been received.

It is hoped that the regular troops will be in Florida before this reply reaches you.

If the pilots conduct themselves improperly, their branch or license must be taken from them, and others found and placed in their stead.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 27, 1837.

GENERAL: I have the honor to enclose, for your information, a letter of the Secretary of the Navy in reference to the reporting of two cutters to you.

Very respectfully, your most obedient servant,

S. COOPER,

Acting Secretary of War.

Major General THOMAS S. JESUP,

Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 30, 1837.

SIR: I have had the honor to receive your letter of the 17th instant, in reference to the mission of peace from the Cherokees to the Seminoles.

It is not intended that this mission shall delay for an instant the military operations against the Seminoles; and, if you deem it expedient, you may delay sending the Cherokee chiefs to them till you shall have struck a blow. In this, as in all other such matters, you must use your own discretion, in which the Department reposes entire confidence.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,

Garey's Ferry, Florida.

DEPARTMENT OF WAR,

October 31, 1837.

SIR: It gives me great pleasure to acknowledge the receipt of your letter of the 22d instant, containing the gratifying intelligence of the capture of Powell, and other important personages of the Seminoles; and I trust that a sufficient number of troops have, by this time, reached Florida to enable you to act with energy, and to compel the rest of the nation to sue for peace.

I have to request that you will write weekly, at least, to the Department, by the opportunity now offered by the steamer Poinsett.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,

Garey's Ferry, Florida.

DEPARTMENT OF WAR,

November 10, 1837.

SIR: Your letters, dated the 4th of this month, were received yesterday afternoon, but too late to be answered by that day's mail. I hope

that the repeated assurances, contained in my former letters, that the acceptance by the Department of the proffered mediation of the Cherokees must not in any manner delay your operations, will relieve you from any embarrassment on that account. The object on our part was, if possible, to induce the Florida Indians peaceably to submit to the terms proposed to them by the Government, and to fulfil their treaty stipulations, and remove west. Any talk that does not tend to effect that object promptly is idle, and you are at liberty not only to suppress Ross's talk, but to send the Cherokee chiefs home, if they hesitate to urge those terms upon the Seminoles. If they agree to address the Seminoles in language that you approve, you can send your talk with theirs, promising the kindest treatment if they will deliver themselves up. I agree with you entirely that this last effort to spare the further effusion of blood should not be made until the troops are in position. It is our duty to neglect no means of saving this deluded people from the destruction which awaits them if they persist in their obstinacy; but my only hope is in an active and vigorous prosecution of the war.

I received, at the same time with your letters of the 4th instant, one of the 29th ultimo.

I should much regret if the expedition confided to Lieutenant Powell cause you any embarrassment, or deprive you of any material part of your force. The service you wish him to perform is at variance with the views of the Department in sending him to the Everglades. He shall be again instructed to co-operate with you as far as the two objects are compatible, and of course be placed under your orders; but it is expected that he will be permitted to carry out the views of the Department, which he will impart to you on his arrival in Florida.

Unwilling, at this distance, to interfere with your plan of campaign, I will confine myself to calling your attention to the importance of capturing the women and children of the hostile Indians.

I hope, by this time, that more officers have joined the army. They shall be sent in as fast as they can be gathered in from the duties in which they were engaged.

I send you a statement of the number of tents sent and on their way to Florida. It is to be hoped they will prove sufficient; but I regret that the army should be without them at the commencement of the campaign.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Number of tents ordered to Florida since 10th August, 1837.

Destination.	When ordered.	Hospital tents.	Wall tents.	Common tents.	When turned over to the Quartermaster at Philadelphia for shipment.	Hospital tents.	Wall tents.	Common tents.
Garey's Ferry.	August 16, 1837 -	-	20	88	Aug. 31, 1837 -	12		
	August 24, 1837 -	12	100	400	Sept. 10, 1837 -	-	20	88*
	Sept. 21, 1837 -	6	50	300	Sept. 27, 1837 -	-	64	180
					Oct. 23, 1837 -	-	38	420†
					Oct. 25, 1837 -	6	-	-†
Tampa Bay.	August 10, 1837 -	-	22	67	Aug. 15 & 17, 1837	-	22	67
	August 30, 1837 -	10	-	-	September 4, 1837	10		
	Sept. 21, 1837 -	8	150	900	October 3, 1837 -	8		
					October 25, 1837 -	-	32	

* On the board the Hunter ; lost on the bar of St. John's.

† Now on their way.

This statement shows the number of tents sent to Florida since the 15th August last, and is in addition to the number sent there at different times prior to that date.

DEPARTMENT OF WAR,

December 1, 1837.

SIR : I received your letter of the 22d ultimo yesterday afternoon, and hasten to say that the great amount of force expected from Georgia was uncalled for, and cannot be retained in the service. Such an additional number of mounted men will break down your army, destroy all the resources of the country, and consume the forage and provisions collected for the supply of the troops calculated for. I consented to receive a larger amount of this description of force than I thought essential to your success, because I did not wish to cripple your operations ; but this great and unexpected accession of them will place us here in the unenviable situation of knowing you to be deficient in supplies, without the power of relieving your wants. The estimates were based upon less force, and if an act of appropriation should be delayed, the supplies must stop, and the whole army be made to suffer. The number of irregular cavalry which you called for to compose the four columns did not exceed seven hundred men, and the estimates, although made for a much greater number, were not intended to meet so great an increase as you will have in the field at this time.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR, *December 2, 1837.*

SIR: Alarmed at the immense accumulation of volunteer mounted men in Florida, and seriously apprehensive that we might not have the means of maintaining them in the field, I wrote you a hurried letter yesterday, directing the Georgia militia to be discharged. If, however, you find that you can better spare the Alabama or any other troops, you can select the best. I do not think your operations would be at all retarded, or your army less efficient, by limiting the number of mounted men to two thousand, including the regular cavalry, or, if absolutely necessary for escorts, the number may be carried up to two thousand mounted volunteers. The amount of that description of troops now in the field, if the Georgia volunteers be still there, is more than double that number, which appears to be disproportionate to that of the troops of all other arms, and likely to be productive of great inconvenience and expense. I am not disposed, as you know, to jeopard the success of the campaign by the exercise of an ill-judged economy, but the attention of the public has been called to the immense expenditures occasioned by this war, and they have become a matter of investigation by Congress, and we are called upon by our sense of duty and regard for the reputation of the service to avoid the appearance of lavish or unnecessary expense. I am aware that the most rigid investigation which can be instituted will prove only the faithful and honorable manner in which every branch of the army has discharged its duties in the cabinet and in the field; but if we retain an unreasonable amount of the most expensive description of troops longer than their services are required, we shall be liable to the accusation of disregarding the public interests intrusted to your charge. The manner in which the volunteers have everywhere obeyed the call of their country, and by their eagerness to serve in this war have led their officers to exceed the call made upon the States, is highly creditable to them, and is fully appreciated by this Department; and, in declining their services at this moment, it is governed only by a sense of its paramount duty to the country. It has been represented that the volunteers, on entering the service, have had their horses appraised, some at the exorbitant price of three hundred dollars; thus attempting to establish a claim for this unreasonable rate of compensation for any loss they may hereafter sustain. It may be proper to inform all such persons, that it is the determination of this Department, unless otherwise directed by the laws that may be passed for indemnity against such losses, not to allow more than one hundred and twenty dollars for any cavalry horse that may die in the service. General Jackson, from whom I received a letter this morning, speaks in high terms of the character of the men and officers composing Major Lauderdale's battalion; I have no doubt you will find them highly serviceable, and it may be well to keep this force entire.

Having understood that the irregular cavalry were marching through the country with an extraordinary quantity of baggage, requiring an immense amount of transportation, I have directed the acting quartermaster general to extend some fixed regulation on that subject, which is not to be departed from by those charged with the administration of that branch of the service.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

December 16, 1837.

SIR : I had the honor to receive in due season your letter of the 3d of October, stating certain particulars connected with the organizing of the regiment of friendly Creek warriors, and with the appointment of the officers who commanded them, and asking a reconsideration of the decision against paying them according to the ranks they severally held. Press of business has, till now, prevented me from giving you a reply.

In the cases of these officers the question is not whether they perform well and faithfully the duties of the ranks in which they served, and are in equity entitled to the pay and emoluments of those ranks ; on these points there is no doubt. The difficulty arises from the want of legal authority for directing such payments to be made ; indeed, such a direction would be directly opposed to the positive injunctions of existing laws ; and if the surgeon general, or any other officer, has been paid under similar circumstances, it has been without the knowledge of, or an expression of an opinion by, the Department.

The power of the President to organize the Creek regiment as he thought proper in the Territory of Florida, is not doubted ; but I can find no authority for taking officers of the line from their appropriate commands, and placing them, with increased rank and emoluments, in volunteer corps.

At as early a period as practicable, your request that the subject be referred to Congress shall be complied with.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

January 4, 1838.

GENERAL : A correspondence has taken place between this Department and the Governor of Florida, in reference to the payment of certain Florida militia, which you will find designated in the enclosed documents.

I have to request that you will inform me by what authority these troops were called into the service, when the call was made, and what was the necessity for it.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
Garey's Ferry, Florida.

DEPARTMENT OF WAR,

February 3, 1838.

SIR : Advices have been received of devastations having been committed by small parties of marauding Indians upon the property of the inhabitants of Middle Florida. You will, therefore, as soon as practica-

ole, direct the commander of the division nearest that part of the Territory to detach a sufficient force for its protection; and give instructions that the troops assembled by Colonel J. Gadsden, for the defence of his neighborhood, be received into the service.

It will be well to give the necessary instructions to the Governor of Florida, to call out a specified and limited number of men, whenever the occasion may require a resort to such a measure for the protection of West or Middle Florida, unless you are able to detach sufficient force for that purpose from the division in your rear. It is believed that the troops now in Florida are sufficient to enable you to provide for the defence of the entire Territory.

Very respectfully, your most obedient servant,

J. R. POINSETT.

Major General THOMAS S. JESUP,
via Garey's Ferry, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, October 4, 1836.

SIR: Your communication of the 21st ultimo, with a copy of Lieutenant Colonel S. Miller's report of his recent movements, has been received, and was submitted to the General-in-chief before my return to the office.

Very respectfully, I am, sir, your obedient servant,

R. JONES, *Adjutant General.*

Brevet Major General JESUP,
U. S. army, Tallahassee, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, October 8, 1836.

SIR: If the marine corps shall be required for duty in Florida, the General-in-chief directs that, in conformity with the views of the War Department, you will order it thither; but, if otherwise, you will give orders to the commanding officer to march with the whole corps into the Cherokee country, and there report to General Wool, and receive his instructions.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General T. S. JESUP,
Commanding, &c., Columbus, Georgia.

ADJUTANT GENERAL'S OFFICE,

Washington, October 11, 1836.

SIR: A copy of your letter to Brigadier General Armstrong, of the Tennessee volunteers, dated 25th August, directing the movement of his brigade to Florida, forwarded under cover of your letter of the 27th

September, has been received, and, agreeably to your request, placed upon the files of the office.

Your report of 1st October, in compliance with instructions from the Secretary of War, communicated in my letter of the 27th August, on the subject of Governor Schley's letter to the President, has been submitted to the acting Secretary of War, and I have no doubt will be entirely satisfactory to all concerned, of which, I presume, you will be duly notified by the proper authority.

I am, sir, very respectfully, your obedient servant,
R. JONES, *Adjutant General.*

Major General T. S. JESUP,
Commanding at Fort Mitchell, Alabama.

ADJUTANT GENERAL'S OFFICE,
Washington, October 13, 1836.

SIR: I have laid before the General-in-chief your communication of the 2d instant, from Fort Mitchell, stating the distribution and assignment of the troops recently operating in Alabama and Georgia, under your command. With regard to the absent officers, I am happy to inform you that the President has, within the last week, given positive orders to all absentees to join their regiments, and that the general order on the subject will be immediately issued.

I am, sir, very respectfully, your obedient servant,
R. JONES, *Adjutant General.*

Brevet Major General T. S. JESUP,
Commanding, &c., Tallahassee, Florida.

ADJUTANT GENERAL'S OFFICE,
Washington, October 7, 1837.

SIR: I have the pleasure to acknowledge your communications, of the 11th September and that of the 31st of August, both of which have been laid before the General-in-chief.

On the subject of *recruits*, it may be satisfactory to inform you what measures have been taken, and what may be the prospect of supplying the army in Florida by the 1st of November.

Instead of the three hundred recruits you desire may be sent to Tampa Bay, five hundred have already embarked at Fort Monroe (on the 27th of September) for that post, being forty less than the number actually required, on the 1st day of September, for the eleven companies of artillery and the fourteen companies of the 4th and 6th regiments of infantry then present on that station, and probably two hundred less than may be required to fill these *twenty-five companies*, say on the 1st of November.

Some days since I understood orders were despatched by Major General Macomb, direct to General Eustis, to send probably all the recruits, (say seven hundred and fifty,) now at Fort Monroe, to *St. Augustine*.

On the 25th of September, Lieutenant Colonel Cummings, of the 2d

infantry, embarked at Fort Hamilton for *Tampa Bay*, with four full companies and forty-seven recruits, as supernumeraries intended to supply the vacancies which are anticipated may occur in his battalion during this and all the next month. These supernumeraries, however, you can otherwise dispose of, as you may judge most expedient.

By the 10th or 12th instant Brevet Major Dearborn will proceed to Garey's Ferry, with sixty recruits, to re-enforce his own and Brevet Major Staniford's company, 2d infantry, being sixteen more than those companies actually required to complete the establishment on the 1st of September. He will take also seventeen artillery recruits enlisted by Lieutenant Colonel Crane for one of the companies of his regiment, (the 2d.) Seeing that company A, 2d artillery, has been recently ordered from Tampa Bay to Fort Pike, Louisiana, I have taken measures to fill that company with the recruits enlisted on the Ohio, which have been ordered thither via New Orleans.

On the 1st of September forty-eight recruits were present at Baton Rouge, and I have reason to believe that Lieutenant Colonel Foster will, pursuant to instructions he has received, be able to reorganize company A, 4th infantry, (which has been broken up some time since,) and that it will arrive at Tampa Bay by the 20th of October.

From this statement it will be seen that one thousand four hundred and twenty-four recruits have been put in motion for Florida, without counting the number that may be collected on the Ohio, for company A, 2d artillery, now at Fort Pike, which I apprehend will not exceed thirty or forty recruits.

The 1st regiment of infantry will, on its arrival at Tampa Bay, require not less than two hundred and fifty recruits, the vacancies, on the 1st of September, being known to be two hundred and eighteen; but, as the largest number of recruits have been ordered to *St. Augustine*, I suppose it will now devolve on you to distribute and assign that body, as it was decided not to adopt the arrangement here suggested and recommended.

I shall continue to look to the wants of the service in Florida, and from time to time hope to despatch the recruits that may be required to keep up the establishment.

I send you a copy of an official memorandum * of the estimate of the regular force calculated to be in Florida by the 1st of November. There is one error, at least, which I have recently discovered. You will have no marines; the order for their withdrawal from Florida was unknown to me, nor is it on the files of the Adjutant General's office.

I am, sir, very respectfully, your obedient servant,

R. JONES.

Major General T. S. JESUP,
Commanding army in Florida, St. Augustine.

* Dated August 29th.

Memoranda accounting for the one thousand four hundred and twenty-four recruits mentioned in the above letter.

Embarked at New York, under Lieutenant Colonel Cummings,					
2d infantry,	-	-	-	-	47
To sail under Major Dearborn,	-	-	-	-	60
					<hr/>
				For 2d infantry,	107
Under Lieutenant Duncan, for 2d artillery,	-	-	-	-	17
Sailed from Fort Monroe, September 27th,	-	-	-	-	500
Soon to sail from Fort Monroe,	-	-	-	-	750
Ordered from Baton Rouge,	-	-	-	-	50
					<hr/>
				Total recruits,	1,424

Besides the above, forty-four may be collected on the Ohio, for company A, 2d artillery, now at Fort Pike.

ADJUTANT GENERAL'S OFFICE,

Washington, October 12, 1837.

SIR: In acknowledging your communication of the 2d instant, reporting the course pursued with regard to the Seminole chief "Wild Cat," I am desired by the General-in-chief to inform you that it is approved by the Secretary of War.

I have also the pleasure to acknowledge, in due course of mail, your letter of the 23d September, transmitting General Hernandez's report of his affair with the Indians at the Musquito of the 9th and 10th September, and of the capture of Philip and Billy, and other Indians, which has been submitted to the General-in-chief.

I am, sir, very respectfully, your obedient servant,

R. JONES.

Major General T. S. JESUP,

Comm'g Southern army, St. Augustine, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, October 13, 1837.

SIR: Instead of concentrating recruits at Fort Monroe, during this month, the superintendent has been ordered to despatch direct all his disposable men to Garey's Ferry, as you will see by my letter to Colonel Cutter of this date, of which an extract is herewith transmitted.

As remarked in my letter of the 7th, of the recruits ordered to St. Augustine, those now to be sent to Garey's Ferry must necessarily be assigned to companies, by the orders of the General commanding in Florida; except, perhaps, the detachment of about 170, which I have directed to be assigned to the seven companies of artillery

now at Garey's Ferry, and which, on the 1st of September, required 167 recruits. This first detachment, of about 170, will sail from New York on the 16th, and will be commanded by Major Dearborn. The 60 recruits for the two companies of the 2d infantry, with 17 artillery recruits, were to have sailed yesterday, in charge of Lieutenants Casey and Albertis, who belong to the companies.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General T. S. JESUP,
St. Augustine, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, October 14, 1837.

SIR: The General-in-chief directs me to inform you that, should you deem it expedient, the company of artillery (E of the 2d) now at Fort Mitchell, Alabama, may be ordered to Florida, or relieved by one of the companies now in the Territory. Should you see fit to do so, you will please to give the necessary orders.

I am, sir, very respectfully, your obedient servant,

R. JONES.

Major General T. S. JESUP,
Comm'g in Florida, St. Augustine, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, October 16, 1837.

SIR: Your report of the 27th ultimo, from St. Augustine, is this day received and submitted to the General-in-chief.

With respect to the recruits you wish pushed on immediately, I have the pleasure to refer you to my letters of the 7th and 13th instant, by which you are informed that several detachments were put in motion; and it is hoped that some of them will have arrived in Florida before this reaches you.

I am, sir, very respectfully, your obedient servant,

R. JONES.

Major General T. S. JESUP,
Commanding, &c., St. Augustine, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, November 3, 1837.

SIR: I have the pleasure to acknowledge the receipt of your several letters, respectively, dated the 19th, 21st, and 23d of October, communicating the highly satisfactory intelligence of the seizure of Powell, Wild Cat, and other influential chiefs, with many Indian warriors of the hostiles; all of which have been laid before the Major General.

I am, sir, very respectfully, your obedient servant,

R. JONES.

Major General T. S. JESUP,
Commanding, &c., Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, November 10, 1837.

SIR: In your letter of the 23d ultimo you remark: "If the force were only here now, [the recruits,] the war, I am sure, might be closed in two weeks; but I fear it will not arrive until the time of action shall have passed;" and, in your previous letter, (of the 21st,) you regret that a portion of the expected force had not arrived early in October, so as to have enabled you to re-establish the posts of Volusia and Fort Mellon. As regards *the time* of the arrival of the fresh troops intended for the service in Florida, I have been directed by Major General Macomb to inform you that the Secretary of War, being well acquainted with the southern climate, after mature deliberation, deemed it most prudent to defer the departure of the re-enforcement drawn from the seaboard to the latest period consistent with its timely arrival for the campaign, which, you are aware, he had decided should not be opened (designedly on our side) sooner than in the first week of November. The health of the troops, deemed by all of the first importance in a vigorous prosecution of the campaign, as well as to justify the hope of a successful issue, dictated the policy of the delay to which you have referred.

An earlier concentration of fresh troops during the sickly season, in unhealthy parts of Florida, the Secretary considers to be extremely hazardous, and, therefore, it has not been permitted.

I am gratified to be able to say that more than 1,000 recruits, the greater part well instructed, will have reached Garey's Ferry, probably by the 1st day of this month; and, save the dangers of the sea, about 1,100 good infantry of the line, part instructed recruits, will have arrived at Tampa Bay in all October. Colonel Twiggs, with 230 well-mounted dragoons of the 2d regiment, ought to reach Jacksonville, Florida, by the 31st of October, and another detachment, perhaps equal to a company, not mounted, which proceeded from Jefferson barracks to Tampa Bay, *via* New Orleans, ought now to be there.

Herewith I respectfully annex a copy of the official statement A, of the regular force in Florida on the *1st day of October*, taken from the September returns; and also of the additional regular force which has joined and been ordered to re-enforce the Florida army. You will see I make your effective force, army and marine corps, 3,787, but say 3,500, which exceeds your estimate mentioned in your communication of the 21st ultimo by 1,500. Should the statement prove more correct than your estimate, I am sure no one will be more gratified than yourself, as your force would exceed your expectation.

On the 28th of October, 54 recruits sailed from Fort Monroe; and on the 3d instant, 151 recruits embarked at New York for Garey's Ferry, and I hope 250 more may sail before the close of the month. Brevet Major McClintock, and several subalterns, with about 100 soldiers of the Florida army, who are restored to health and now at Fort Hamilton, are under orders for Garey's Ferry.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adj. Gen.*

Brevet Major General T. S. JESUP,

Comm'g army in Florida, Garey's Ferry, Florida.

A.

Memoranda of the regular troops and marines serving in Florida, on the 30th of September, 1837, agreeably to returns received at the Adjutant General's Office; and also of the recruits and other regular force ordered to re-enforce the Florida army.

Regiment.	Number of companies.	Present for duty.	Present on extra duty.	Present in ar-rest.	Present sick.	Total present.	Absent on service and leave.	Total present and absent.	Number of recruits required.
Second dragoons	7	180	7	6	60	253	87	340	157
First artillery	9	108	31	4	23	166	42	208	287
Second artillery	7	135	34	9	27	205	38	243	142
Third artillery	9	160	23	10	37	230	33	263	232
Fourth artillery	9	132	49	8	40	229	44	273	222
Second infantry	2	41	2	3	10	56	4	60	42
Fourth infantry	8	156	26	6	77	265	84	349	63
Sixth infantry	7	65	13	1	13	92	37	129	232
Marines	-	105	46	4	15	170	15	185	
Total in Florida	58	1,082	231	51	302	1,666	384	2,050	1,377
RE-ENFORCEMENT SENT TO FLORIDA.									
Second dragoons	3 and detachment	235	-	-	-	235	105	340	Surplus 122
First infantry		177	13	36	66	292	6	298	
Second infantry		204	-	-	-	204	-	204	
Total	14	616	13	36	66	731	111	842	217
Recruits	-	1,693	-	-	-	1,693	205	1,898	1,472
Aggregate regular force	72	3,391	244	87	368	4,090	700	4,790	

REMARKS.

1. Of the total regular force in Florida, reported "present and absent," on the 30th September, to wit: 2,050, 300 discharges, on account of expiration of service, will take place, inclusive of the 31st of December; but an equal or greater number of recruits will be forwarded during the next forty days; and it is calculated they will *join* faster than discharges will take place. [Of this number of discharges, (300,) those of the 1st regiment of infantry are included.]

2. Of the 384 absentees of the veteran part of the Florida army, as stated on the 30th of September, more than one hundred will have left Fort Hamilton and Fort Monroe before the 18th instant. Of the 111 absentees of the fresh troops, of which 105 are of the 2d dragoons, under Colonel Twiggs, it is probable more than one-half may join. Of the 205

recruits, reported "absent," all may reach Florida by the 15th or 20th instant, 54 of that number having sailed from Fort Monroe on the 26th and 27th of October, and 151 on the 3d instant embarked from New York.

3. The fresh troops, which may be considered "present" on the 31st October, should the transports have reached their destination in safety, may then be computed as follows:

Mounted detachment of 2d dragoons from Jefferson barracks, (3 companies,) under Captain Tompkins	-	-	-	-	235
First regiment of infantry, say	-	-	-	-	250
Four companies of the 2d infantry, under Lieutenant Colonel Cummings	-	-	-	-	204
					<hr/>
				Total	- - 689
Recruits	-	-	-	-	- 1,693
					<hr/>
Fresh troops and recruits present in Florida, November 1	-				2,382
Add 205 recruits now at sea	-	-	-	-	205
					<hr/>
Total number of the additional regular force sent to Florida	-				2,587
4. To this fresh regular force (2,587) add, of the veteran force in Florida, for service in the field or garrison, say	-				1,200
					<hr/>
Total regular effective force for the Florida campaign	-				<u>3,787</u>

It is hoped the above available force may be realized; the data seem to justify it.

[*Note.*—To be under, rather than over, the computed efficient force, call it 3,500, instead of 3,787.]

R. JONES,
Adjutant General.

NOVEMBER 9, 1837.

Memoranda of the number of recruits ordered to re-enforce the army, serving under the orders of Major-General Jesup, in Florida.

FROM NEW YORK HARBOR.

47 under Colonel Cummings, sailed September 25, for Tampa Bay.
 60 under Lieutenant Casey, for 2d infantry, (F and K,) sailed October 12, for Garey's Ferry.
 17 artillery recruits sailed October 17, for Garey's Ferry.
 235 under Major Dearborn, sailed October 17, for Garey's Ferry.
 151 under Lieutenant Allen, 2d artillery, sailed November 3, for Garey's Ferry.

Total 510 recruits from New York.

FROM FORT MONROE.

500 for Tampa Bay, September 27.
 20 under Lieutenant Mackall, October 2.
 704 for Garey's Ferry, October 15 and 16.
 54 for Garey's Ferry, October 28.

Total 1,278 recruits sailed from Fort Monroe in September and October.

RECRUITS DESPATCHED BY WAY OF THE OHIO AND MISSISSIPPI.

60* From Newport, Kentucky, under Lieutenant Ruggles, to Fort Pike, October 19.
 50 from Baton Rouge, under Colonel Foster, at New Orleans.

Total 110 on the 19th, on way to Tampa, for company A, 4th infantry.

Recapitulation.

From New York	-	-	-	-	-	510
From Fort Monroe	-	-	-	-	-	1,278
From Newport, Kentucky	-	-	-	-	-	60
From Baton Rouge, Louisiana	-	-	-	-	-	50
						<hr/>
Whole number of recruits sent to Florida, from 25th September, to 3d of November	-	-	-	-	-	1,889
Deduct 41 recruits which joined company A, 2d artillery, at Fort Pike	-	-	-	-	-	41
						<hr/>
						1,857
						340
						<hr/>
						2,197
						<hr/>

ADJUTANT GENERAL'S OFFICE,
 November 9, 1837.

R. JONES, *Adjutant General.*

Memoranda of recruits sent to Florida since the above statement.

80 recruits from New York, under Lieutenant Duncan, sailed for Garey's Ferry 27th November, 1837.
 170 recruits from New York, under Captain Backus, sailed for Garey's Ferry (via Savannah) 9th December, 1837.
 (25 invalids from Fort Hamilton, 27th November, and 80, under Major McClintock, 23d November.)

* Note.—Company A, 2d artillery, recently ordered from Tampa Bay, and now temporarily stationed at Fort Pike, Louisiana, will be filled up from this detachment of recruits, and the rest sent to Florida.

90 recruits, (for the 1st infantry,) under command of Lieutenant William Hoffman, 6th infantry, and Lieutenant Wooster, 4th artillery, sailed from Fort Monroe on the 20th December, for Tampa Bay, Florida, (schooner Empire.)

Total 340

R. JONES.

ADJUTANT GENERAL'S OFFICE,

Washington, December 7, 1837.

SIR: The enclosed letter of the 28th November, to the Secretary of War, from Britton Evans, captain United States volunteers, is respectfully referred to Major General Jesup, by direction of the General-in-chief.

Very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General JESUP, *commanding army
of the South, Garey's Ferry, Florida.*

ADJUTANT GENERAL'S OFFICE,

Washington, December 13, 1837.

SIR: From the tenor of your recent communications, relative to the sufficiency of your present force, the General-in-chief considers that it will be unnecessary at this time to send more recruits for the army in Florida. Since my letter of the 10th of November, 250 recruits have been despatched, (170 for Tampa Bay, via Garey's Ferry,) and about 70 more will in a few days sail direct from Fort Monroe for that post, with instructions that they be assigned to the 1st regiment of infantry, which is greatly reduced. The artillery and infantry being pretty well re-enforced, unless you should think it expedient to request more recruits, our efforts will now be directed to filling the ranks of the other regiments.

Your letter of the 27th ultimo, relative to the remarks contained in your letter of the 23d of October, (answered the 10th of November,) has been submitted to the General-in-chief; and if your remarks were misapprehended at the time, the letter just received satisfactorily explains your intention; and, agreeably to your request, it has been filed away with your prior letter dated the 23d of October.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General JESUP,
Commanding the army in Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, December 22, 1837.

SIR: Your communication of the 2d instant, covering the proceedings of a general court martial, in the case of Lieutenant George Forsyth, 2d dragoons, which sentences him to be dismissed the services of the Uni-

ted States, has been received and submitted to the Secretary of War, by whom they have been duly considered and approved.

I am directed by the General-in-chief to say that, at the instance of his friends, the Secretary at War has thought proper to offer Mr. Forsyth the alternative of resigning his commission, instead of promulgating the sentence of the court. You are accordingly desired to inform Mr. Forsyth that you are authorized to accept and forward his resignation.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General JESUP, *commanding army
of the South, Garey's Ferry, Florida.*

ADJUTANT GENERAL'S OFFICE,

Washington, January 4, 1838.

SIR: The Secretary of War directs that *Henry Edwards*, a recruit of the army, who was one of the detachment conducted to Garey's Ferry by Major Dearborn, be discharged from the service. You will please to give the necessary orders accordingly.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General JESUP, *commanding army
of the South, Fort Mellon, Florida.*

ADJUTANT GENERAL'S OFFICE,

Washington, January 4, 1838.

SIR: The Secretary of War directs that officers who have the superintendence of clothing depots in Florida be each allowed a non-commissioned officer or soldier of the army, to assist them in the performance of their clerical duties. You will please to give the necessary orders in the case.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General JESUP,
Fort Mellon, Florida.

ADJUTANT GENERAL'S OFFICE,

Washington, January 23, 1838.

SIR: I herewith respectfully enclose a copy of my letter of this date to Brevet Major McClintock, by which you will see that the General-in-chief considers it unnecessary to take further action in the case, as heretofore indicated might be proper by my communication of the 27th of November.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General THOMAS S. JESUP,
Commanding the army in Florida, Fort Mellon.

ADJUTANT GENERAL'S OFFICE,

Washington, January 25, 1838.

SIR : Mrs Thompson, the widow of the lamented Colonel Thompson, is very desirous to obtain, if practicable, the remains of her husband, who has recently fallen in Florida. for the purpose of having them removed to the city of New York ; and so far as the army can, consistently with the practice of the service, lend its aid for the accomplishment of this object, the General-in-chief would be gratified to see it exerted. Any assistance, therefore, which the commanding officer most convenient to the place of interment of the remains of Colonel Thompson can render upon this occasion, it is not doubted will be promptly accorded, whenever the friends of the deceased may take the initiatory measures necessary for the purpose. I will send a copy of this letter to General Armistead, or the commanding officer at Tampa Bay, for his information, &c.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

Major General T. S. JESUP,
*Commanding southern army,
Fort Mellon, Florida.*

HEADQUARTERS, APPALACHICOLA,

October 13, 1836.

SIR : I arrived here yesterday evening, in nine days from Fort Mitchell, and shall depart to-day for Tampa Bay, with about three hundred regular troops and Washington volunteers. The marines and other troops, amounting to between three and four hundred, will follow as soon as they can get down the river. The operations in Florida will be greatly retarded for want of supplies. Colonel Lane writes me that there are barely sufficient at Tampa Bay for its present garrison. The rapid fall of the Chattahoochie prevented me from getting down as many supplies as I expected to send, or take from Columbus and Fort Mitchell ; but I have ordered from New Orleans all that may be necessary. They cannot arrive, however, before the 1st of November. In the mean time, the most that can be accomplished with the means at our disposal shall be effected. I can hardly express to you the embarrassment I have felt and still experience for want of officers in every branch of service, in the medical department particularly. I have often to send off detachments without any medical attendance whatsoever. Not one of the medical officers promised by the surgeon general has joined me. I shall consider it my duty to bring them to trial for their delay the moment they join.

Letters addressed to me at St. Mark's will reach me sooner than if directed to any other post, as I shall establish a communication by steamboats between that place and Tampa Bay.

Lane has had a handsome affair with the Indians, and he reports that the country about Tampa Bay is clear of them for twenty miles around.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP.

The Hon. C. A. HARRIS,
Acting Secretary of War, Washington city.

ST. MARK'S, FLORIDA,

October 23, 1836.

SIR : I arrived here to-day, on my way to Appalachicola, to hasten forward the troops and supplies. A large steamboat, loaded with forage and subsistence, has been recently sunk at Pensacola ; the supplies must be replaced, which will cause delay. Governor Call, I am informed, is at Fort Drane actively engaged in forming a depot of forage and subsistence, preparatory to a forward movement. I shall concentrate at the mouth of the Ouithlacoochee, if practicable, the regular troops from the Creek country, with the Alabama volunteers ; if the measure be found impracticable, from the inaccessibility of that river, I shall concentrate them at Tampa Bay, and the moment the necessary pack-horses can be obtained, I shall move forward to co-operate with the Governor.

I have this moment received the distressing intelligence of the death of Colonel Lane, of the Indian regiment. In a moment of temporary derangement of mind, he put a period to his existence. I never met a man of more professional promise ; his loss will be severely felt on the campaign ; I have not been able to learn the particulars of his death.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP,
Major General.

To the Hon. SECRETARY OF WAR,
Washington city.

HEADQUARTERS, VOLUSIA,

December 5, 1836.

SIR : After a rapid march of between five and six days, I arrived here last night from Tampa Bay, where I found Governor Call with the Tennessee brigade, the Indian regiment, and a few regular troops and Florida volunteers, amounting, altogether, to about two thousand men.

Your instructions to me of the 4th ultimo, to take the command of the troops in Florida, and the directions of the war against the Seminoles, have not yet been received ; but Governor Call has given me a copy of them, and will turn over the command to me the moment the necessary returns can be prepared. I shall enter upon the duties assigned me without the confidence of success entertained by the members of the Government, or the hope of fulfilling the expectations of the President or the country. All that man can do shall be done ; but I can promise nothing more than to do my duty faithfully ; other troops will be required, and that immediately, otherwise a failure is inevitable. The term of service of at least two hundred of the regular troops will, I am told, expire in the course of this and the next month, and not a man will re-enlist. The term of service of the Tennessee brigade will expire, a part on the 18th, and of the remainder on the 31st, of the present month, and they will insist on going home. I shall then be left with troops barely sufficient to defend the necessary depots, without any for active service in the field.

I requested the Governor of Alabama some time ago to detach a force of five companies, either volunteers or draughted militia, for service in this Territory ; and, also, to complete Lieutenant Colonel Cawfield's battalion of twelve months' volunteers, to a regiment. I also requested Governor Schley, of Georgia, to detach a regiment of twelve months' volunteers, the

services of which had been offered me last fall, but which I did not then feel myself authorized to accept. I have not heard from either of the Governors, probably from the difficulty of communications reaching me. If the force asked from them should be sent to me, it will supply the place of the Tennesseans, and if the 6th regiment, now on Red river, could be ordered to Tampa Bay, it would supply the place of the discharges, and enable me, perhaps, to end the war this winter. This post I find entirely out of position, but as supplies are already collected here, I must use it as a depot. Fort King is also out of position; but as you have directed that it be occupied, I shall re-establish it, if I can spare troops to garrison it. I have already established a depot twenty-five miles in advance of Tampa Bay, on the road to Fort King, and propose to establish another on the same road at the point which crosses the Outhlacoochee. I shall also establish a post at Punta Rassa, near the mouth of the Sang-bell river, which falls into Charlotte harbor; but, to effect these important and absolutely necessary objects, force is required. A post has been established by Governor Call on the Outhlacoochee, twenty miles above its mouth. If the Indians should remain on that river, another post must be placed near the Cove. With these posts established and supplied, the war may be carried on successfully by light detachments, operating without baggage, and striking the enemy promptly and unexpectedly, wherever he may be found.

As an act of justice to Governor Call, I take the occasion to remark, and I stake my professional reputation on the correctness of the remark, that no man could, under the circumstances in which he has been placed, have accomplished more than he has done. He had the summer, it is said in the public prints, to make his arrangements for a winter campaign; but he could not establish depots without force to defend them; and it is to be observed that he entered upon the command under circumstances of embarrassment which did not exist when the campaign of last year commenced. He found the country exhausted, not only all the positions occupied during the campaign abandoned, but the whole country from the Suwannee to the Atlantic, except Tampa Bay and St. Augustine, occupied by the enemy. His plan of campaign was admirable, but there were circumstances which he could not control that prevented its execution. If I should fail, and unless I have more force I certainly shall, the country can be completely defended by mounted rangers only, in connexion with the depots which I propose to establish. The rangers should be raised during the present winter, and should have a rate of pay to command the services of the best men. The pay of the regular troops, including the officers, should be doubled, to secure them the ordinary comforts during their service in Florida. Let me entreat you, as you regard the best interests of the service, to impress upon Congress the necessity of putting the army upon a better footing. I wish nothing myself, and if justice can be done to my brave companions, I will cheerfully serve out the campaign without pay or emoluments. I shall commence operations immediately, with the utmost vigor which the means at my command will permit, and shall keep you constantly advised of my progress.

With high consideration and respect, I am, sir, your obedient servant,
THOMAS S. JESUP.

To the Hon. B. F. BUTLER,
Acting Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, Florida, December 12, 1836.

SIR : A sufficient supply of subsistence having been received yesterday to enable me to move with twenty days' rations, the army will march to-day. The advance is now moving. At the Ocklawaha I shall have the choice of two objects : Micanopy, who is about thirty miles south of the point where I shall cross that river, and Powell, who is fifty miles southwest of it.

I propose, after placing the train safely across the Ocklawaha, to leave a sufficient force to protect it, and with the remainder make a forced march and strike either Micanopy or Powell; and if successful with the first, immediately attack the other.

My movements are not in accordance with my own judgment; they are controlled by the necessity of availing myself of the few days that yet remain of the term of service of the Tennessee brigade, and I am therefore compelled to march on their route to the mouth of the Ouithlacoochee, where they expect to embark for New Orleans on their way home. This movement will enable me to strike at the two chiefs mentioned above, and to cover the frontier; but had I the control of my measures, I could employ the force to much more advantage, in a succession of attacks along the Ocklawaha, and thence down the Ouithlacoochee.

Without a strong corps of wagon drivers, muleteers, and laborers, it is almost impossible to act efficiently in this country. The southern militia do no labor for themselves, and consequently cannot, or will not, labor for the public. The regular troops are on constant fatigue duty; and a road leading from camp, and on which we are to march to-day, requiring repair, I sent instructions to General Armstrong, last night, to move forward with his brigade and cause the necessary repairs to be made. He replied that it would be impossible, as his men would not work. I shall therefore be compelled to put this labor upon the regular troops; at the same time that I consider southern volunteers inefficient for many purposes, it is due to them to say that they are efficient whenever rapid marches are to be made, or an enemy to be fought. Add to them such a corps as I propose, and you make them efficient for every purpose.

Cannot the 6th regiment of infantry, and the companies of the 2d regiment of dragoons already raised, be sent to Florida? Volunteers can be more readily obtained for service on the southwestern frontier than for Florida.

I am, sir, most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Acting Secretary of War, Washington city.

FORT BROOKE,

December 23, 1836.

SIR : After writing to you on the 18th instant, I ascertained from my Indian scouts and spies, whom I had kept constantly employed in scour-

ing the country, that not a sign of hostile Indians could be discovered at or near any of their strongholds on the Ouithlacoochee. All the trails are in a southeasterly direction, and Powell, if he has not been deserted by his followers, has probably determined to draw the war into the neighborhood of Micanopy, Jumper, and Philip, to compel them to adhere to him with their warriors.

As the enemy could not be found where we expected him, and the term of service of the Tennessee volunteers having expired, I determined to avail myself of the movement of that corps, to send the wagon train to Tampa Bay for supplies for the depots which I had found it necessary to establish.

I left Brigadier General Armistead in command of the forces on the Ouithlacoochee, with orders to scour the country from Fort King to that river, and to take the most active measures to find the enemy; and I came through with a small escort to Fort Foster, for the purpose of designating the points to be occupied as depots, in addition to those already established. I have ordered Lt. Col. Foster to erect a work on the Ouithlacoochee, at the place where the Fort King road crosses it. It will be completed in a few days, and a wagon train will leave here to-morrow to supply it with subsistence, forage, tools, &c. Learning, by express from Colonel Henderson, of the arrival of Commodore Dallas, I came hither to arrange with him a plan of combined operations for the campaign: he is several miles below, but I expect him here to-day.

I have established an abundant depot at Fort Foster, twenty-five miles in advance of this place; the fort which Lt. Col. Foster is erecting on the Ouithlacoochee is twenty-nine miles in advance of Fort Foster. Fort Armstrong is fifteen miles further north, near the point where the road from Volusia unites with the road to Fort King: the two latter posts command the principal retreats of the enemy on the Ouithlacoochee; and that at Volusia will be sufficient for the present.

Should it become necessary to re-establish Fort King, I will cause a strong work to be erected, which may be built by a few men, and supply it from Fort Drane. The moment my depots shall be filled, which will be in a few days, small as my force is, I shall commence active operations in the field, and shall prosecute them with the utmost vigor, until I either beat the enemy or be beaten by him.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

The Hon. B. F. BUTLER,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Armstrong, January 19, 1857.

SIR: I have this moment arrived at this post in advance of the troops, having completely swept the swamps and hammocks of the Ouithlacoochee, from the Fort King road to Fort Clinch; and I am positive that there are no parties of Indians, exceeding ten warriors, on the river or in its neighborhood.

The prisoners represent Powell as flying from one hiding-place to another with only three warriors. I returned hither, with a small escort,

to make arrangements in anticipation of the arrival of the troops, to carry on an expedition against the Indians on the head-waters of the Ocklawaha ; in that expedition I had calculated on the co-operation of the 6th regiment of infantry, and its aid will be necessary. Seven companies of the regiment have arrived, but Major Thompson, who commands, has received orders to-day to return to the Texas frontier : if he return immediately, I must abandon the proposed expedition. I consider it of too much importance in its bearing upon the successful result of the campaign, to be given up, and I therefore feel it to be my duty to retain the regiment until its place be supplied by other troops.

I detached Lt. Col. Foster from Fort Clinch, with five hundred regular troops, Georgia volunteers, and Indian warriors, against the Tallahassee and Ogechee Indians, who had fled from the Ouithlacoochee, and have established themselves in the swamps south of the mouth of the Ouithlacoochee ; and in consequence of information from Fort Drane, I was compelled to detach Major McClintock with the 3d artillery to that post.

A small battalion of Alabama draughts have arrived at Tampa Bay, but I cannot use them for any military purpose, in consequence of the measles prevailing among them.

The dragoons promised in a communication from the adjutant general had not arrived when I last heard from the officer commanding at Garey's Ferry, nor had the South Carolina draughts.

The Indian warriors are sickly, and will leave the service on the last of this month, in order to make arrangements to arrive in Arkansas in time to plant corn for the next season.

I have some reason to complain that orders should be published directing recruits in large numbers to join, when the men have not been enlisted. A wrong impression is thus produced upon the public mind, and where error has gotten the start, it is difficult for truth to overtake it.

The service is a most arduous one in Florida, so much so, that not a man whose term of service expires will re-enlist.

I am happy to find that you have recommended a bounty in land to the soldiers ; it should, in strict justice, be extended to the regimental and junior staff officers.

With high consideration and respect, I have the honor to be your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, Florida, February 25, 1837.

SIR : Since my letter of the 20th instant, several principal chiefs of the Seminole tribe of Indians have been here. I spent the greater part of the 23d and 24th either in conferences with them, individually, or in council with them, collectively. Hohahtoochee, the second chief of the nation, brother and heir of Micanopy, represented the nation. He declared that the Indians were tired of war, and were anxious to be upon terms of peace and friendship with their white brothers ; but, they were

at present so much dispersed that he had not been able to collect all the chiefs, and could give me no answer as to their determination in regard to emigration. Micanopy desired him to say to me, that the army had driven him into a *bad swamp*, distant from the good land on which he had formerly lived, and he hoped to be permitted to remain there. I replied that I was ready to give him and his people peace, and that the United States would execute the treaty in good faith which had been made with them, and that they would be secured in their lives and property; but that he and his chiefs and warriors must distinctly understand that emigration was an indispensable condition; that I would not discuss any proposition which was not based upon that condition. He replied that he was not instructed by Micanopy on that point, but that he, as well as the whole nation, was desirous of peace. I informed him that I could treat only with Micanopy; that I had expected that chief on the 18th, and had been disappointed; that I expected him still, and would not make peace unless he would come in. Hohahtoochee promised that Micanopy would come in, and appointed next Saturday, 4th of March, as the day on which he should appear.

In the mean time the hostile Indians north of the Ouithlacoochee and the road to Volusia are to be withdrawn to the south of that line, and are not to pass to the north of it until peace shall have taken place or hostilities be recommenced, nor are they to go to the east of the St. John's.

Twelve hostages, one of them a nephew of Micanopy, have been left with me, and the chiefs started to-day on their return to Micanopy.

As I am sure that force alone will compel the Indians to emigrate, I consider it my duty to continue the most active preparations for immediate operations; and, if negotiation should fail, I shall be able to take the field with every means and equipment complete on the 5th of March.

At least five hundred warriors were represented by the chiefs present, and as I have twenty-seven negro prisoners, the property of Micanopy, I entertain strong hopes that he will come in, and this perplexing and harassing war be brought to a close.

I promise nothing, however, but unremitted exertions, and

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP.

The Hon. B. F. BUTLER,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Dade, March 7, 1837.

SIR: When the Indian regiment was raised in the Creek country for service in Florida, it was distinctly understood by *them* as well as by *me*, that they were to be allowed to return to Alabama in time to remove to the country assigned to them west of the Mississippi before the season for planting their corn. I have found it necessary to retain them in the service up to this time, and it is important that they remain until the Seminoles remove. Had they left me on the 1st of February, according to the assurances given to them, I must have called into service at least

two regiments of militia or volunteers to have taken their places, at a heavy expense ; besides, there would have been much loss of time in discharging the Indians and bringing into service the militia. From a careful consideration of all the circumstances in which I found myself, as well as from the situation of the enemy, and the nature of the country in which we were operating, I was decidedly of opinion that sound policy, as well as considerations of economy, made it proper to retain the Indian force. To induce them to remain, I assured them that if they should be detained beyond the planting season, the United States would not only subsist them for twelve months after their arrival west, but, in addition to that period, until the time of gathering their crops next year. By the arrangement which I have made with them, a considerable sum will be saved to the Treasury in the end, and I respectfully ask that it be approved by the Department.

I have put under cover to the adjutant general the articles of capitulation of the Seminole nation.

I have allowed them liberal terms, in which I have consulted good policy as well as humanity. To have permanent peace, the conquered should be satisfied that we intend to deal justly by them. To prevent any bad faith on their part, or to punish it if attempted, I consider it to be my duty to be prepared to strike at once, and with decisive effect. I therefore continue active preparations for the field.

Captain Harris, of the marine corps, is the bearer of this communication, as well as of that to the adjutant general. He is one of the most deserving officers in the service, and I earnestly recommend him to the favorable notice of the Government.

I have the honor to be, sir, your obedient servant,

THOMAS S. JESUP,
Major General commanding.

The Hon. B. F. BUTLER,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Dade, Florida, March 15, 1837.

SIR: I had the honor to receive, on the evening of the 13th instant, your letter of the 11th ultimo. It came by the way of St. Mark's, thence by ship to Fort Brooke, and by express to this place.

The Indians are entirely quiet ; about a hundred and twenty have come into this place and Fort Brooke, and I expect others daily. By prudence and firmness on the part of the military, further hostilities may be prevented, unless the citizens of the country should act with imprudent violence ; but it is doubtful whether a large body of them can be induced to emigrate. The chiefs, I believe, intend to act in good faith ; but it is doubtful whether they will have influence sufficient to control the young warriors. If I should find that the emigration of the whole body cannot be effected, rather than risk the renewal of hostilities on the approach of the sickly season, I shall endeavor to send off those who may be willing to go, and perhaps permit the remainder to plant corn and remain until autumn. With the knowledge we have acquired of the country, if it

were now the 1st of October, we could force the whole nation to emigrate, but it is doubtful whether it can be effected now. If any be permitted to remain, they will be required to take a position south of Pease creek, and not be allowed to go to the north of the prescribed line, on the penalty of being considered hostile. I have directed Lieutenant Colonel Harney to reoccupy Fort Mellon on Lake Monroe, and build storehouses and collect supplies, so that in the event of the renewal of hostilities, I shall be able to move into the heart of the enemy's country and remain there.

The depots of Fort Foster, Fort Dade, Fort Armstrong, and Fort Drane, are well supplied; so is the depot at Fort Clinch, near the mouth of the Ouithlacoochee, and of Fort Call, at Volusia. There should be a depot in advance of Tampa Bay, on the route to Pease creek, and another at the mouth of the Coloosehatchee; but I cannot spare force to occupy them. I hope they will not be necessary.

With high consideration, I have the honor to be your obedient servant,
 THOMAS S. JESUP.

The Hon. B. F. BUTLER,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, April 9, 1837.

SIR: I had the honor to receive yesterday your two letters of the 20th ultimo.

The war, I hope, is over; at all events, there is but little danger of a renewal of hostilities, if the troops be held in readiness for immediate action, and the inhabitants of Florida act with ordinary prudence. Should, however, any attempt be made to seize the Indian negroes, or to arrest any of the chiefs or warriors, either as criminals or debtors, an immediate resort to arms would be the consequence.

Several of the principal chiefs are in this neighborhood, with detachments of their people. Micanopy, Holatoochee, Yaholoochee, (Cloud) Coacoochee, (Wildcat,) John Cawiga, and several sub-chiefs and warriors, left me yesterday for the emigrating camp. Coacoochee is the son of Philip, the principal chief on the St. John's river; his influence is greater than that of his father; he is decidedly the most talented man I have seen among the Seminoles, and should, and no doubt will, be the principal chief of the nation. He promises that Abiaca, the chief of the Mickasukies, with his people, shall come in. He returns to the St. John's to collect his cattle, and will start his father and all his people immediately to the emigrating camp.

The chiefs entered into an engagement yesterday to surrender the negroes taken during the war. They will deliver them to the commanding officer of the posts on the St. John's.

The Indians, generally, will emigrate, but the measure will be tedious, and in all its preliminary steps expensive. A few thousand dollars judiciously applied as a compensation to the chiefs of energy and influence, would save in the end, I am persuaded, fifty times the amount thus expended.

When the emigration of the greater part of the nation shall have been effected, strolling vagabonds will remain, probably, and annoy the frontier inhabitants. To restrain them, I propose to re-establish Fort King, and establish a post between Fort Drane and the Suwannee. Fort Drane being in a very unhealthy section of the country, its garrison must be withdrawn early in June.

One or two posts, with small garrisons, may probably be required on the Atlantic coast south of St. Augustine.

The garrisons of Forts Mellon and Call must be withdrawn by the 1st of June, in consequence of the unhealthiness of the sites of those forts.

In regard to the topographical information which you require of me, it becomes my duty to report to you, that although two officers of the topographical corps had been assigned to my command by orders published to the army, and both actually reported to me, one was withdrawn without entering upon duty, and the other a few days after he joined me. I have, therefore, but few materials for a topographical sketch and memoir of the country which has been the scene of my operations.

I came hither without any knowledge of the country, and there were no guides to be obtained on whose information any reliance could be placed. The only guides from whom correct information has been obtained are Indians and negroes whom I captured.

We have possessed Florida sixteen years; during the whole of that period we have had a topographical corps on the register, and borne on the army returns; but the officers have been taken from their appropriate duties, and employed upon those purely civil; the consequence is, that we have perhaps as little knowledge of the interior of Florida as of the interior of China.

I have directed my aid-de camp, Lieutenant Linnard, to collect and arrange such data as are accessible, with a view of making as complete a report on the subject as practicable; and

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, TAMPA BAY, FLORIDA,

April 11, 1837.

SIR: I had the honor to receive this morning your letter of the 27th of March, approving the arrangement made with the Creek chiefs for the subsistence of themselves and families after their arrival at their new homes in the West.

I received yesterday evening official information of the removal of the families of the Creek warriors to Mobile Point. I had been previously informed of the excitement in the Creek country, and had seen an account in the newspapers of the removal of the Creek families, but was not aware of the brutal treatment which those families had been compelled to submit to, until I received the reports of Lieutenants Reynolds and Sloan to Major Wilson, whom I had sent to Mobile Point to inquire into the circumstances preceding and attending the removal, copies of which are enclosed.

I have explained to the chiefs, that the measure adopted was the only one by which their families and those of their warriors could be secured from insult. Some are satisfied, but others are not; and what effect their dissatisfaction may have on the Seminoles, I am not prepared to say.

The Creek families were plundered of the greater part of their property, and it is no more than justice that they be remunerated. I will endeavor to satisfy them, if possible, and send them off by detachments, as I get the Seminoles off.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

FORT MORGAN, MOBILE POINT,
March 31, 1837.

MAJOR: In obedience to your call for information respecting the causes which led to the removal of the families of the Indian warriors now in Florida from the Creek nation, and the losses sustained by them in consequence of such removal, I have to state, in answer to the first, that I am entirely ignorant as to any just cause for such a measure. My Indians were perfectly friendly and obedient; were ever ready to carry into effect any measure or requirement I might deem necessary to make, with the exception of a few residing near to the late chief Tuskeneha's residence, and they were not at all times otherwise disposed; but at periods when Tuskeneha put forth his influence under the guidance of *some few designing white men*, I have had trouble. When the settlers became agitated by the depredations committed on the plantation of Dr. Battle on Cowiga creek, I deemed it prudent and proper to allay their fears by calling in their rifles. I appointed a day for that purpose, and attended in person for the reception of those of Jim Boy's and Elkahajo's warriors; all were forthcoming. The day subsequent was allotted for the handing in of Tuskeneha's people; from the previous conduct of Tuskeneha, I was apprehensive my requirements would not be complied with, in which event Mr. Felton, my principal assistant, was directed to repair to Tuskegee, and report the result. My anticipations being realized, I arrested Tuskeneha that night, and brought him to Tuskegee, where he was detained three days, during which period twenty-one rifles were handed in, and he made perfectly sensible of his situation; he was permitted to return to his house, since when I have experienced not the slightest difficulty; he has done much towards bringing his people into camp. These facts were duly reported to Captain Page, the emigrating Creek agent and commanding officer of the nation.

On the evening of the 9th of February, after the warriors of Lieutenant Sloan's camp had been placed on the pickets at Tuskegee, a company under Captain Harrold, returning by the old Federal road, halted at the house of Anne Cornell, a half-breed Indian, secured and carried away two free negroes and an Indian boy, besides setting fire to, and wholly destroying all her houses, fodder stacks, and moveable property generally, including three hundred dollars in bank bills. This, sir, I

have from the suffering woman herself, and who is now on the Point, subject to interrogation by yourself. The stolen Indian, I am happy to say, subsequently made his escape, and is also with me.

On the 19th ultimo, I was informed a body of troops, under the command of Captain Welbourn, usually styled General, were within two miles of my camp, whither it was their intention to repair for the purpose of scouring it, and make prisoners of all the warriors. Captain Brodman was the bearer of Captain Welbourn's intention, and also a request for me to meet him at Durant's stage stands, on the edge of Calleby swamp. Fearful some depredations might be committed upon the Indians, I repaired without loss of time to the place appointed, and, much to my chagrin and mortification, found some six or eight of my warriors already prisoners.

I demanded of Captain Welbourn his authority for thus invading my camp. His reply was, **THE PEOPLE**. I solemnly protested against the measure, that it was unnecessary and impolitic; the faith of the Government was pledged to the warriors in Florida, that those remaining behind should be wholly unmolested by the citizens, and placed under the protection of the Government; that I was the agent sent them by the Government, and felt bound, and was determined, to protect the Indians. I was then given to understand the object of their march would be accomplished, notwithstanding my protest. I then begged Captain Welbourn to appoint a committee to wait on me at the issuing-house at three o'clock, P. M., when I would pledge myself to present all the warriors of my camp; to this they also objected, and were still determined to drive the camps. Finding such to be their purpose, I deemed it prudent to co-operate with them, in order to prevent alarm, and save the Indians from being driven into the swamps, but not from any good will to my unwelcome visitors. Captain Welbourn was willing to adhere to any course that I would suggest. Stratagem and deception were my only resort to carry into effect the object in view, to wit: a continuance of good faith on my part to the Indians. I therefore advised the immediate release of the warriors in custody, and the continuance of the forces beyond the Cabeecbee swamp, there to remain until the arrival of a messenger from me. I had an understanding with Captain Welbourn, that we should take a formal parting, and when he should again make his appearance, I would positively insist upon his retiring, without molesting the Indians that he might find assembled for the purpose of being mustered, (an every-other day's practice.) This I considered the only course of preserving my standing. At two o'clock the temporary chiefs reported their people ready for roll-call, when I despatched a messenger to Captain Welbourn, who, in a short time, with four companies, three of which were mustered into the service, viz: Captain Welbourn's, Captain Harrold's, and Captain Young's, and a Mr. Park, with a company of citizens from Russell county, surrounded my issuing-houses, much to the amusement of the Indians; for, instead of being alarmed, they were delighted at what they considered an unnecessary movement towards making them prisoners. I had stationed my interpreter near, in order that everything that transpired might be communicated to the Indians; which being done, they appeared perfectly satisfied with the course that I had pursued. I then assured them, their being made prisoners was not the act of the Government; on the

contrary, General Jesup would not countenance such proceedings; to remain perfectly quiet, and everything would end satisfactorily. Their reply was, they looked to me for protection; that thus far it had been afforded, and they knew the Government would not now desert them. I reassured them, all that General Jesup had promised their chiefs would be rigidly adhered to. They appeared, and, I have every reason to believe, were, satisfied.

I stated to Captain Welbourn, that, inasmuch as the warriors were in bondage, and taken away from their wives and children, protection should be afforded the latter; that I, as also the Indians, were apprehensive the soldiers would annoy them. He gave me positive assurance that they should not be molested. In order to satisfy Captain Welbourn, (who appears more anxious to gain the applause of his disorganized soldiery than the public good,) I called the roll, and found, of two hundred and fifty-three warriors, fourteen absent, some of whom had been excused from attending muster in consequence of sickness, old age, &c. He was satisfied with the order of the camp, or rather so expressed himself to me. A little after dark I heard the report of a musket, in the direction of Thlobthlocco town, (Jim Boy's.) I stated to Captain Welbourn, it was unusual to hear a musket or rifle fired in the camps at that hour; I was apprehensive some mischief was being done by his troops, and begged a party might be despatched to ascertain the cause. Few moments had elapsed after making this requisition, when a second report of muskets was heard in another direction; I then told Captain Welbourn he afforded me no protection. The warriors were restless, telling me my tongue was forked, and, for the first time, I was holding bad talk. Captain Welbourn headed a party in person, and set out in the direction of the firing; about eleven o'clock he returned, and informed me an old man was killed, and a little girl wounded; that the marauders belonged to a Mr. Park's company of citizens, of Russell county, Alabama. I demanded of Captain Welbourn the arrest of the whole of the company, as it was the only course to pursue, in order to satisfy my warriors; that unless it was adopted, a stigma would rest upon him, and, further, it would be the means of re-establishing me in their confidence. He assented, and said positively my wishes should be carried forthwith into effect; but such was not the case. On the following morning, Mr. Park, together with his denominated officers, attempted to make an apology for the offence of their company; I told them the matter now rested with the Government; nothing could be done by me but to pacify my aggrieved Indians; which was partially done by taking Mr. Parks and his associates before the Indians, and pointing them out as the persons having authority over the men who committed the murder. I told the warriors, notice had already been taken of the offence, and of their misfortunes; that an express had been sent to Fort Mitchell, with all the facts connected with their sufferings; that these men, Mr. Park and his associates, now regretted the occurrences of the night, and were willing to make any atonement for the losses sustained. The acting chief of Jim Boy's town, (Hillishajo,) replied, it was out of their power to bring life back; he therefore would leave it to me to say what was best to be done. I told them the old man was dead, died violently, it was true, but life could not be restored; we therefore must submit. The reply was, if I was satisfied, they were;

I told them no, far from it ; but we were obliged to submit in this case, but justice should be rendered ; General Jesup would not suffer them to be imposed upon. Previous to this, in company with Captain Welbourn and Hillishajo, I visited the house of the aged murdered man, who proved to be Loch-chi-Yahola, about ninety years of age, who had been excused, owing to the infirmities of age and deafness, from attending muster at the issuing-house ; found him lying in one corner, shot in the breast, and his head literally stove in with, as I supposed, butts of muskets. With some difficulty I obtained permission for the son of Loch-chi-Yahola, to leave the chain of sentinels. I afterwards found the little girl, who had been slightly wounded in the leg by a musket ball. She is the daughter of Cock or Texico, of the Ufalla town, about fifteen years old. She stated the men wished to ravish her ; she refused, and ran towards a thicket which was near by, when she was fired at. I am happy, however, to say she has entirely recovered. There are two warriors by the name of Catcho Texico, belonging to the Ufalla town ; the father of the girl is with me, the other is in Florida. Upon prosecuting my inquiries further, I learned the same men had, in several instances, accomplished their diabolical views upon the frightened women, and in many cases deprived them, by force, of finger, ear rings, and blankets. Many of their women, and whole families, under a state of alarm, ran to the swamp, where the major part of them are still, and no doubt viewed as hostile. I have used every possible means to draw them out, without success. The most prominent measure adopted was causing staves, with white muslin attached, to be carried through the camps, as a token of friendship. The question, (with the officers of the several companies,) what was to be done with the warriors ? now presented itself ; nine of twelve were in favor of removing them to Tuskegee. I formally protested against it, and proffered to leave the nation with my whole party, rather than consent to a separation of my people. It was some time before they assented to my proposition ; as soon as informed of their assent, I repaired to Montgomery county, and consulted the citizens residing in the vicinity of Mount Meigs, who readily acceded to my wishes, and aided in the selection of an eligible situation for encamping. On my return I communicated with the Indians, gave them the choice either of going to Tuskegee, as prisoners, and separating from their families, or leave the nation with them. There was no hesitation ; they preferred the latter ; and in thirty-six hours afterwards, with but four five-horse teams, my party, of upwards of 1,900 strong, were on the march. On the 22d inst. I arrived at and encamped near Mount Meigs, without any murmuring or discontent, except regrets for loss of property and suffering for the acts of the guilty.

The excitement of the settlers in the immediate vicinity of Polecat Springs, Captain Young's company, and a portion of Captain Welbourn's, against the Russell county men, was so great, that, so soon as it was ascertained my camp would be removed, they deemed it prudent to leave at the earliest period, taking with them some eight or ten ponies stolen from the Indians. Of this fact I was informed by persons who met them on the road with the ponies in their possession. Indeed, the conduct of this party was of the most outrageous and disgraceful kind, even persons in the public employ, and the stores, were wholly disregarded. One of

the former was most violently beaten and otherwise mal-treated, and stores for the subsistence of Indians were taken by force.

As to the main inquiry, to wit: the probable loss sustained by the sudden and forced removal of my Indians, I answer, it is impossible to form a correct estimate within the time required, but can do so in a few days, as it will be necessary to call upon the heads of families under the superintendence of their respective chiefs. I am convinced their losses were heavy, in ponies, cattle, corn, furniture and farming utensils, &c.

GEORGE G. REYNOLDS,

First Lieut. U. S. Marine Corps and Military Agent.

FORT MORGAN, MOBILE POINT,

March 31, 1837.

SIR: In answer to your inquiries in relation to the outrages that have been committed on the families of the Indian warriors serving in Florida, and the loss of property incident thereto, I submit the following report:

In consequence of a disturbance that occurred at the plantation of Dr. Battle, on the Cowiga creek, about the latter part of December last, thirty miles distant from the camp under my control, (Echo Harjo's,) I ordered the warriors forthwith to surrender their arms, and remove within a smaller compass, so that they might be more immediately under my observation. This movement was made, not from a belief that the depredations were committed by my Indians, (for I have no doubt it was the remnant of the old hostile party that had never surrendered,) but to appease the citizens, and prevent any intercourse with my camp, some of whom had previously been hostile, and sixty-three guns were deposited in my quarters.

This order was promptly obeyed, and all of the old camp of Echo Harjo's Indians, and a few of those that had surrendered, were encamped in less than half a mile square; the rest precipitately left the camp. They remained in this situation till the 5th of February, when I found my camp suddenly surrounded by an armed populace, headed by a Mr. Garmigan, and a party of citizens from Georgia; a Mr. Park at the head of the citizens from Russell county, Alabama, and a Captain Morris, of Franklin county, Georgia, that had recently been mustered into the service of the United States. The Indians, indiscriminately, were immediately driven up around my quarters, and there guarded until twelve o'clock the next day, without provisions, and in most instances, a blanket to shelter them from the inclemency of the weather.

I protested against their conduct, as inhuman, uncalled for, and contrary to the solemn pledges of the Government; and that it would be more honorable and soldier-like to punish the aggressors, than to harass a few unarmed friendly men, women, and children. After pillaging several of the Indian houses of property, and in one instance of money, they determined to remove the Indian men and boys to Tuskegee, and place them within the stockade under a strong guard, and permit the

women and children to remain immediately around my quarters. The guns belonging to the Indians were also carried away by them, and have not been returned. I have since understood, they selected the best for their own private use. On the same evening my camp was again visited by two companies of citizens from Pike and Barbour counties, Alabama, headed by a Mr. Curry and a Mr. Harrold; the latter company was that day mustered into service. After some conversation, I succeeded in satisfying them that no great danger was to be apprehended from a parcel of women and children; and after remaining until about midnight, and plundering the houses of the Indians that had been abandoned, they left to join their associates in arms about five miles distant, where they that night had encamped with the Indian men and boys. We had a respite from this time till the 20th of February, when Park and his mob returned, and, after parading through the camp, took six men that had been frightened off on his previous visit; and if the statement of some of his own men can be credited, stole two mules and a horse, and perhaps some ponies, and left the camp on the 21st. A Lieutenant Ash, with a detachment from Captain Morris's company, arrived at the camp and surrounded it, and, after searching it thoroughly, left for Tuskegee, without making any discoveries of a very *alarming* character. On the next evening, I received a note from Captain George (whose company was also in the United States service) and Lieutenant Ash, informing me that, on the next morning they had determined to remove the women and children of my camp to Tuskegee. As I was that day making an issue of provisions for five days, I begged them to defer it for four days, until they could consume their provisions; as no wagons were furnished for their transportation, it would be impossible for them to carry it. I requested to hear from them that night by express. No intelligence was received, and I was convinced they adhered to their determination, and on the morning of the 23d ordered the Indians to prepare to remove to Tuskegee, and in half an hour the whole camp was on the march. In consequence of having no means of transportation, I directed them to deposite their effects in my quarters, &c., until wagons could be procured to remove them to Tuskegee, but in the mean time, the house was broken open and plundered of most articles of any value.

We had proceeded alone within four miles of Tuskegee, before we met the companies that were to *guard us*. They escorted us to Tuskegee and encamped the women and children around the pickets under a guard, where they remained until the 7th of March, when they were marched off by the same company to Montgomery, Alabama.

The following is the description and value of the property that has been lost, as far as can be ascertained in so short a period :

145 Indian ponies, (average value \$30,)	-	-	-	\$4,350 00
60 head of cattle, " " 12,	-	-	-	720 00
200 hogs, " " 3,	-	-	-	600 00
100 bushels of corn, (at pr. bush.) 2,	-	-	-	200 00
100 bee-hives, (at per hive,) 2,	-	-	-	200 00
Cooking and farming utensils, and crockery ware,				200 00
63 guns, (average value \$10,) - - -	-	-	-	630 00

Sacrifice in hurried sales of property,	-	-	-	\$1,200 00
Money stolen from Tallow-war-harjo,	-	-	-	250 00
Total,				<u>\$8,350 00</u>

Very respectfully, &c.

T. P. SLOAN,
Lieutenant and Military Agent.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, May 8, 1837.

SIR: I have the honor to enclose a copy of a despatch just received from Lieutenant Colonel Harney, who commands at Fort Mellon, on Lake Monroe. The great body of the Seminole nation are concentrated in that part of the country. Powell will be highly useful in bringing the Indians in, and in hastening their embarkation. Nothing is now to be apprehended, unless it be the imprudence of citizens of Florida. The officious interference of some of them has already embarrassed the service, and from the public papers I discover that certain citizens of Florida, who, I presume, were unwilling to trust their persons nearer to the Seminoles than Charleston, are denouncing me and my measures. I have only to say, in reply to them, that I can have no agency in converting the army into negro-catchers, particularly for the benefit of those who are evidently afraid to undertake the recapture of their property themselves.

Micanopy, Jumper, and Cloud, are here with a part of their people. Holatoochee is collecting his people, and will be in by the 20th. Alligator's people were assembled, but dispersed in consequence of a report that they were to be executed so soon as they should place themselves in our power. They are reassembling.

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

FORT MELLON, EAST FLORIDA,
May, 1837.

SIR: The chiefs Coehahjo, Tuskencha, Ossinyahholoh, (Powell,) and the Wildcat, (Philip's son,) arrived yesterday, with a great many of their warriors and women: Philip is too sick to go about, and of course did not attend here; but his son represents him, (a smart fellow.) Sam Jones has not yet come in, but was expected last night. I will not close this letter till I know whether he has arrived or not. The council which they held terminated well; there was not a man present

who made any objections to the talk which Micanopy sent them; *his word is law*, and none dare to deviate from it.

Coe Hajo begs me to say to you that he has the same talk now that he had when he was with you, and begs you to give them time; they were hurrying all they could, and if you do not push them everything will go on without any trouble. I had a private talk with them last night, and they are all anxious to get off as soon as possible; they dislike to start for Tampa before the people all assemble.

I have this moment learned that Sam Jones was at council, (they told me last night, but I did not know the name.) Coe Hajo expects his brothers in every hour, and I will pledge my life that all will go well if indulged a little longer. Coe Hajo and Powell are now with me; Powell slept in my tent last night with me, and they both say that they are almost sure that it will not be more than a week before they are all on the road to Tampa Bay. He says that he told you that he would be at Tampa Bay by this time, but it was *impossible*; and he begs you not to think that he is not an honest man, for he has done all he can, and has succeeded in getting them all together, except a few who are scattered; and that they (the main body) will not wait for them if they are not here before a week. Some of the scattered people will go immediately to Tampa, and not come by this place.

Coe Hajo is encamped about twenty miles from this place. Powell is about fifteen miles from this; he will join Coe Hajo, where they will all remain till they start for Tampa; they encamp right on the road to Tampa. Coe Hajo wishes me to say to you that he has got strong men to help him; meaning Tuskeneha, Powell, and Wildeat; and that they all put their heads together to do business.

In your last letter you say you do not wish me to let them deal with the sutler; this placed me in a very awkward situation. I told them some time since that I would send the boat for goods for them; they begged me to do so, as they are literally naked, many of them; of course, they all expected to be allowed to purchase some clothing; I directed the sutler not to trade with them; but from the representations and importunities from the chiefs, and the opinion of the officers, I thought it advisable to permit them to trade; inasmuch as there is hardly a shirt apiece for those that want them. The sutler has hardly anything in his store, compared with their (the Indians) wants. If they had anything like a full supply, I would have sent them off. I *know* that if you were here you would not have persisted, and I beg and hope that you will approve the course I have pursued.

Your idea is that it may be the means of some delay; but I know that it will not be the means of one moment's delay. They will be in the neighborhood at least five or six days, and they will buy everything the sutler has before to-morrow night. One of the parties expected has this moment shaken hands with me. They arrived in Coehahjo's camp last night; some of his band are yet behind, but, as he has not all the chiefs here, he will return immediately for the balance. The chief who has just arrived is Tuckelochelahjo, with seventy-three warriors. I have been trying to learn from those now present the number of warriors in this part of the country; and, to my great surprise, I find that there is not less than *twenty-five hundred red warriors, good warriors*; and

not including lads, &c., or negroes, who fight as well as the best of them.

P. S. More news. The chief just arrived is *Hicks*; he has about seventy warriors still out, and he states that he was on his way to Tampa with his whole party or band, when he was met by Captain Bell. He asked Captain Bell to go with him to his camp, where he had a paper from you. When going there the officers were talking among themselves, and saying how they intended to secure him; that they would tie him, put him in chains, &c. &c. He understood what they said, and concluded that they intended to kill him in some way, and of course he determined to escape from them if he could; and that he would rather be shot by them than to be in irons, when he was trying to do the best he could; and that he had received the talk from Micanopy, and as soon as he could get his people together he started for Tampa, and would have been there long since if he had not met that foolish man.

Everything is going on as well as can be expected, considering the nature of the country and their numbers. You can form an idea of the numbers of the women and children. The chiefs cannot tell me how many negroes they have belonging to them. They do not wish to turn over the negroes belonging to the whites till they are about to set off for Tampa, as many of them would run away before they could be brought in.

I hope you will be able to make out the sense of this letter. I have a great deal to say, and they communicate in such a manner to me, and so many different subjects, that I am a good deal confused, and am compelled to stop, though I have told you everything of importance.

Major General T. S. JESUP,
Commanding in Florida.

HEADQUARTERS, ARMY OF THE SOUTH.

Tampa Bay, June 7, 1837.

SIR: The military operations of this campaign were attended with complete success; the Indians were driven from all their strong-holds north of this place and Hopopka lake, and hostilities had entirely ceased; individuals travelled unarmed in all directions in perfect security, and Seminoles were employed as guides to surveying parties, and as expresses; but the measure of emigration has entirely failed. Soon after the Indians had begun to assemble in this neighborhood, the measles, which had prevailed in the army during the winter, broke out among them, after which very few came in; the Indian negroes had been alarmed by the arrival in camp of individuals who had lost their slaves during the war; most of them fled, and but few could be prevailed upon to return. This was the state of things when, as I have already reported to the adjutant general, a party of armed warriors seized the chiefs Micanopy, Jumper and Cloud, in their camp about eight miles from this place, on the evening of the 2d instant, and hurried them off to the swamps of the interior. I had received through the principal Creek chief, on the morning of the 1st instant, intimation that the attempt would probably be made in a few days, by a party of Mickasukies and a small band of Seminoles, to kill or abduct those chiefs. I ordered Major Graham, who was stationed with a mounted company and a hundred

and twenty Creek warriors, four miles from Micanopy's camp, to send out spies at night, to observe the movements of the Indians. The major sent two Indians into the Seminole camp on the night of the 1st instant, and, though he ordered them to go out again on the night of the 2d, they disobeyed the order or failed to report. The mounted force here and at Major Graham's camp was held in readiness to move at a moment's warning, but it was not until the morning of the 3d that the flight of the Indians was known; they had had twelve hours start, and in the state of the country and the extreme heat of the weather pursuit would have been useless.

The principal Seminole chiefs met me in council on the 1st instant, and I might have seized them and captured their camp; but such an act would have been an infraction of the treaty, and the capture of two or three hundred Indians would have been a poor compensation for the violation of the national faith; the Indians now have no confidence in our promises, and I, as the representative of the country here, was unwilling to teach a lesson of barbarism to a band of savages. Besides, Micanopy and Jumper will be worth more to us where they are than if they had been seized. The Mickasukies and the war party among the Seminoles have appointed Sam Jones principal chief of the nation. Were Micanopy confined, all the warriors might be induced to acquiesce in the appointment; but he has a powerful party who will exert themselves to support his tottering authority, now he is with them; and should he not be able to control the Mickasukies, he will, at least, detach a large portion of the Seminoles from them.

To have made a durable peace would have been an easy matter. The Indians felt themselves beaten, and were tired of the war. One month ago I could have made a treaty with them as permanent as that with Great Britain, and have restricted them to any limits I might have assigned them. But the scheme of emigration I consider impracticable. This is the first instance in our history in which we have attempted to transfer Indians from one wilderness to another. On all other occasions the white population has been pressing and crowding them out before we have attempted to remove them. To rid the country of them you must exterminate them. Is the Government prepared for such a measure? Will public opinion sustain it? If so, resort must be had to the bloodhound and the northern Indian.

It is probable the war will be renewed by the Mickasukies; but I am making such a disposition of the forces under my command as I hope will, at the same time, secure the frontier and preserve the health of the men during the sickly season.

If operations were to recommence in the fall, every preparation should be made to take the field by the 1st of October. The depots necessary to the most vigorous prosecution of the war may all be established and filled by the 1st of September. The officer who is to be charged with the operations of the next campaign should be at once placed in command of the army, in order to make timely arrangements for the service.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH.

Tampa Bay, June 10, 1837.

SIR: I have had the honor to receive your letters of the 6th and 17th of last month. Brigadier General Armistead had been instructed to discharge all the Florida militia and volunteers east of the Suwannee, except three or four mounted companies; but in consequence of our altered Indian relations, I have called on the Governor of Florida to place at my disposal a mounted force of from two hundred and fifty to three hundred men, to protect the settlements east of the Suwannee, and four hundred men to protect the country west of that river. The regular troops and Indians are broken down; the former must be kept as quiet as possible during the summer, so as to be able to take the field with effect in the autumn, and the Florida militia, accustomed to the climate, can perform the duty required to protect the settlements during the months of July, August, and September.

If operations are to be resumed in the autumn, all the arrangements should be promptly made, and the means organized. The regiments should be placed upon the war establishment of at least a hundred men to a company, and the ranks be filled as soon as possible; in addition to which there should be an auxiliary Indian force employed, to be here by the 1st of September; Shawanees, Miamies, and Delawares, would be preferable to Creeks. The troops and all officers below the rank of major general should receive double pay while serving in Florida. And the general who is to command should be immediately required to make his arrangements to take the field by the 1st of October, and should be unrestricted as to means. If the war be carried on, it must necessarily be one of extermination. We have at no former period of our history had to contend with so formidable an enemy. No Seminole proves false to his country, nor has a single instance ever occurred of a first-rate warrior having surrendered. Governor Coppinger is said to have expressed the opinion many years ago, that the Captain General of Cuba had not force enough to control the Seminoles. I do not consider them quite so formidable as the Governor believed them to be, but I am very sure they may, if they choose, give us employment for two campaigns. They are now generally south of this place and Fort Mellon: but when the garrisons of the interior posts shall be withdrawn, they will no doubt reoccupy a portion of the country whence they have been driven. I shall continue preparations for another campaign until I hear from you; and, in the interim,

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

The Hon. J. R. POINSETT,

Major General.

Secretary of War, Washington city.

HEADQUARTERS ARMY OF THE SOUTH,

Tampa Bay, June 15, 1837.

SIR: Since my letter of the 10th instant, one of my spies, a friendly Creek chief, who has relations among the Seminoles, and who had gone

out under pretence of inviting them to join the Creeks, but, in fact, to gain information as to the design of the Seminoles and Mickasukies, has returned, and, from the facts which he has communicated, I do not entertain a doubt of the determination of many of the Indians to recommence hostilities whenever an opportunity may present of striking a decisive blow, either against the settlements, or at our trains or interior posts. I enclose the substance of his statement, marked A. I also enclose the substance of information received through the principal Creek chief, from some Creek Indians who left Alabama during the last summer, and had been with the Mickasukies during the winter; this statement (marked B) is corroborated by information received through other channels, but, as it comes through Indians and negroes, there is no testimony that would convict a white man. If the war should recommence, I am clearly of opinion that the individual whose name is mentioned in the statement should be removed from the country.

If the Government persevere in the attempt to remove the Indians, war will certainly ensue, and there is no time to lose in making the arrangements necessary to a vigorous prosecution of the next campaign. The general who is to command should be instructed as to means, and both force and supplies should be ready, to enable him to open the campaign on the 1st of October. The regular regiments here should be completed with as little delay as possible, and at least a thousand northern Indians should be immediately engaged, to serve during the campaign or to the termination of the war; and as this country furnishes no materials from which spy companies can be formed, and as that description of force will be absolutely necessary, whether an Indian force be raised or not, I would respectfully recommend that six or eight spy companies be raised on the frontiers of Missouri, and in the mountainous parts of Georgia and Alabama, to serve during the war.

This country is so extensive, and so entirely destitute of means for the subsistence of white men, that extensive lines of depots are required.

The following posts have been established, and must be kept up during the season of operations. They will require, at all times, the force indicated for their garrisons, viz :

Tampa Bay, -	-	-	-	200
Fort Foster, -	-	-	-	50
Dade, -	-	-	-	100
Clinch, -	-	-	-	60
Armstrong,	-	-	-	50
King, -	-	-	-	50
Micanopy,	-	-	-	100
Harller, -	-	-	-	40
Heileman,	-	-	-	100
St. Augustine,	-	-	-	50
Picolata,	-	-	-	40
Volusia,	-	-	-	40
Mellon, -	-	-	-	160
Jacksonville,	-	-	-	50
Newnansville,	-	-	-	50

1,140

In addition to which, the following posts will be required, viz :

A block-house at Little Hillsborough, to protect the bridge,	20
A block-house on the Alifeu, for the same purpose,	30
A post on Pease creek,	50
A post at Punta Rassa, near Charlotte's Harbor,	100
A post on the Suwannee	40
	<hr/> 240
A post in advance of Fort Mellon, on the St. John's,	100
Two posts south of St. Augustine, on the Atlantic, each 100,	200
	<hr/>
Posts required in addition,	540
	<hr/>
For garrisons of posts,	1,680
For escorts to protect the necessary trains, and for scouts,	750
	<hr/>
For garrisons and escorts, independent of the force for the field,	2,430
	<hr/>

Should the Indians generally remain south, the St. John's and Indian rivers will afford the readiest means of access into their country on the eastern side of the peninsula, and Kissimmee, Caloosahatchee, and Pease creek, with a road to be opened to the latter on this side. In a country like this it is impossible to combine the movements of different columns or armies with any degree of accuracy, but to prevent the enemy from concentrating his whole force at any one point, all his settlements or strong-holds should be menaced at the same time, and each separate column should be able to beat, or at least to hold in check, his whole force, if united.

The army should operate in four columns, and each column should be perfect in itself.

The principal column should ascend the St. John's, with all its supplies, and with steamboats and barges of light draught, and with the necessary land transportation to enable it to keep the field for ten or fifteen days together. The second column should proceed to Musquito or Indian river, prepared to penetrate the country either by land or water, and to establish depots in the interior, if necessary.

The third column should move from this post, open a road into the interior, cross Pease creek and the Kissimmee, establishing depots on the route, and penetrate into the heart of the enemy's country.

The fourth column should move up the Caloosahatchee or Kissimmee, destroying the settlements of the Indians, and, if unable to come up with them, drive them in the direction of the line of march of one of the other columns.

The columns should be composed as follows :

1st column—Regular infantry,	-	-	600
Regular artillery,	-	-	100
Cavalry, regular,	-	-	50
Cavalry, volunteers,	-	-	250
			<hr/> 300
Indian warriors,	-	-	300
			<hr/>
Total 1st column,	-	-	1,300

2d column—	Regular infantry, -	-	200
	Regular cavalry, -	-	50
	Volunteers, -	-	100
			—150
	Regular artillery, -	-	50
	Indian warriors, -	-	200
			—
	Total 2d column, -	-	600
3d column—	Regular infantry, -	-	500
	Regular cavalry, -	-	100
	Volunteers, -	-	200
			—300
	Regular artillery -	-	50
	Indians, -	-	250
			—
	Total 3d column, -	-	1,100
4th column—	Regular infantry, -	-	300
	Regular cavalry, -	-	50
	Volunteers, -	-	150
			—200
	Regular artillery, -	-	50
	Indians, -	-	200
			—
	Total 4th column, -	-	750
			—
			<u>3,750</u>

The force required will be as follows, viz :

For garrisons to protect the country and the supplies,	-	1,680
For escorts for trains, and for scouts,	-	750
And for the field,	-	3,750
		—

Thus the effective force required for a successful campaign
will amount to - - - 6,180 men

This does not include drivers, muleteers, mechanics, laborers, &c., all of whom must be hired and brought from the northern or western States, for they cannot be obtained here.

There are lighters and other boats on the Gulf nearly sufficient for the service during another campaign, and, with a few additional wagons and mules, the land transportation will be complete ; but it will not be possible to supply, by means of the military trains, the inhabitants of Florida, as has been the case for several months past. If those inhabitants are to be supplied, the commissary's department should organize a system of supply for them, independent of the army ; and officers of that department, unconnected with the army, should direct the details, under the orders of the chief of the department. Such drudgery should not be imposed upon the army, certainly not upon the general commanding.

If hostilities recommence, the war must necessarily be one of exter-

mination. The Seminoles pay no regard to treaties. The chiefs cannot control their people in any matter which deeply affects their feelings or interests. The body of the nation have no confidence in us. The Spanish Governor, Coppinger, assured the chiefs that his Government sold no part of the country to us, except where "*the white man had cultivated with the plough and the hoe;*" that all not thus cultivated had been reserved for the Indians; they therefore look upon us as robbers and oppressors, and have determined, as I have been informed, almost to a man, to die on the ground rather than leave it. The women, to encourage the warriors in their determination—those who have lost their husbands in battle—*sell* their powder and lead to those who desire it for hunting, but *distribute it gratis* to those who promise to expend it only in war. Such a people you may destroy, but cannot readily conquer. It is their interest to be at peace; they desire peace; but they will not leave the country.

I consider it my duty to urge upon the Government the necessity of placing the regiments upon the war establishment. The companies should consist of at least a hundred men, and each company of infantry should have an additional officer. If the army be not placed upon a more respectable footing, it would be better to disband it entirely, and become tributary at once to the Indians on our borders. As at present constituted, though composed of the best materials, it is a mere apology for defence, and can never fulfil the expectations of the country. To attempt to carry on the war here with militia and volunteers would be attended with nought but disappointment. Those who have once served in this country will not return. Of course, the experience and knowledge of the country acquired in one campaign is not available in the next. Our countrymen possess patriotism and courage, and our militia and volunteers, if employed in their own neighborhood, or to strike a sudden blow, may be used with effect; but for the continued, laborious, and varied duties necessary in the prosecution of an obstinate and distant war, they are unsuited, from habits as well as interests, and consequently are not so efficient as regular troops. I repeat, if the Government persevere in its policy in regard to the Seminole Indians, we must have regular troops, and immediate arrangements should be made for the most vigorous prosecution of the war.

And I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

A.

Yahola Hajo and five men left John Hopahnee's camp 14 days since, to visit some of his people among the Seminoles. "We left camp about 12 M. on foot, and travelled in an east-northeast course, on a new trail, till night, when we camped. The 3d day, about noon, we came to a bad boggy place, where a horse cannot pass, and were several hours crossing it; the next day we reached, early in the morning, a 'big cypress,' and

crossed it; beyond were about seven miles of good ground, having passed which, we came to a stream waist deep, across which was the opening on a lake where the whites had a camp when they turned back last winter, (Tohopkaliga.) After we cleared the opening, we came to a piece of low cypress, the bottom very soft, and about a mile over; beyond was an extent of open low palmetto, of about three miles. Here we had to wind round some lakes. After passing this open place we reached an oak hammock, (a bad place,) and slept there. The 5th day continued over a bad country of hammocks, cypress swamps, and boggy places, without crossing any streams until night, when we reached a party of Coe Hajo's people, living in palmetto camps. When we arrived we saw very few men, as they had gone to take Micanopy. On the evening of the 2d day, Nocose Yahola came to us, and we had a talk with him. He said that his chiefs had given him good advice, which he had not followed, and he had suffered for his conduct; that he had been glad to hear of peace; and that he had resolved to surrender himself at once, but the Seminoles told him that he must wait until their chiefs had arranged every thing before he went in; that he still wished to give himself up, but that the hostiles told him if he went against their orders, he must suffer for the consequences."

When they proposed to kill us, (Yahola, Hajo, &c.,) Nocose Yahola told the chiefs that we were his friends, who had come to visit him, and that they must not hurt us. He told us he knew we came to get him out of difficulty, and his wishes were to accompany us, but that he could not get away. Powell had raised his people to kill us, but Nocose Yahola represented that we were his town's people, and interceded for us; Coe Hajo agreed with Nocose Yahola, but Powell still persisted that we should die. Apiakee then ordered them not to injure us, when Powell was obliged to submit. Coe Hajo sent us word by Nocose Yahola that, ever since his visit to the general, the Indians had threatened his life; that he did not know to-day whether he would see to-morrow; but what he told the general he still adhered to. Coe Hajo's men (some of those who took Micanopy) told us that the sub-chiefs had assembled the 200 men who seized Micanopy; that they were resolved to die upon their lands; that they intended to retire to the "bad place," (Everglades,) where they would lose their lives in defending it.

Holattoochee had said, for this summer, and the fall, and winter, they would have plenty of ammunition, but that the next winter they would probably be in want. Holattoochee had 500 men with him. Jumper and Micanopy had sent word to the people that they must keep quiet, and commit no murders; that their land was poor, yet the whites might think they loved it, and let them remain on the little point they occupied; if, however, they came to molest them, they must defend themselves.

Jumper, when they were carrying him off, told his captors that formerly, when he wanted them to fight, he could not persuade them to come; they were cowards; they had got very bold now; that he and Micanopy loved them, and had come to make peace and save them; that, by carrying them away, they made them appear like liars, and disgraced their chiefs.

The camp reached by us was so near the sea that the Indians said the surf could be heard at times. The people intended having a frolic,

and then they were to join Holatoochee. *Apiakee* and *Powell* had their camp about west-northwest from the camp we visited, and about a day's march distant.

On the way out, one of the men left the party, and took a trail which led to where his brother lived, whom he wished to see. Some Indians met him on the road, and told him he was a spy come to betray them, and that he must remain with them. He asked them to suffer him to join *Yahola Hajo*, to tell him he had been stopped. They refused until one of his townsmen offered to accompany him, when they permitted him to go. He came to us and said that they had taken away his blankets and some of his shirts; that he could not get away from them, but would do the best he could; we were obliged to leave him behind. The Indians told us that, if we attempted to take any women with us, we were dead men; that if we reached home safely ourselves, it was as much as we ought to expect, and we might be disappointed in that.

One man left *John Hopahnee's* camp shortly after us, to overtake us; this man did not reach us, and has not yet returned.

The journey back was over the same road, without incidents of interest.

B.

The following is the substance of information gathered by the friendly chief, *Jim Boy*, or *Tustemuggy Emurthla*, from a party of Creek Indians which had been out all last winter with the Seminoles, but which had lately come in and joined the people of the friendly chief *John Hopahnee*:

After considerable preliminary conversation, *Jim Boy* made a remark to this effect: "Either the white people, the Indians, or somebody, has been making mischief which has caused the Seminoles to run off, as they have just done."

To this remark one of the party above referred to, and whose name is "*Athlugee*," spoke, and asked if it was *Captain Bunce*.

Jim Boy said "may be you have heard something about *Bunce*?"

Athlugee. Yes, I have.

Jim Boy. Who did you hear it from?

Athlugee. *George*, old *Cloud's* nephew, and *Antonio*.

Jim Boy. What did they say?

Athlugee. "*Bunce* told *George* and *Antonio*, you Indians are all fools, and have no sense; the whites only want to get you all in here, when they will send you away off to a very bad country, where all of your old people and children will die. You Indians don't know anything about reading and writing, but I look into the papers and see it all. If you wait a little while, you will have a plenty of people to come here and assist you. The reason the white people want to get you off from here as quick as they can, is, because they know if you remain that you will have people to come and assist you." *Athlugee* further stated that, "after *George* and *Antonio* returned from *Tampa Bay*, (where they had gone soon after the treaty was signed at *Fort Dade*,) they told *Bunce's* 'talk' to *Holatoochee*, *Alligator*, *Cloud*, and the other chiefs and sub-

chiefs present; and that they immediately sent runners to Apiakee, the chief of the Mickasukies, to tell him that they had received a talk from a white man at Tampa Bay, who says that if we (the hostile Indians) all assemble, the whites intend us mischief; so that you, Apiakee, must send out runners to all the people not to come in; but that they must commit no murders, nor steal any horses, &c., and remain quiet; but if the whites come out against us, we must fight them. If the whites do not interfere with us, we will go about and go to the stores, &c., and trade as we used to do." Athlugee stated that "he was present with Apiakee when the above 'talk' was delivered to him; and that it was stated that Bunce had enjoined that his name should be kept secret."

The foregoing was taken down as related by Jim Boy to me, by direction of General Jesup, through the interpreter, usually called "Cow Toms," on the 11th of June, 1837; and the information was stated by Jim Boy to have been collected from "Athlugee" the night before the 10th June; stating at the same time that though "Athlugee" had come in some time before, he had never conversed with him until the period above stated.

J. A. CHAMBERS,
Lieut. Aid-de-camp and Asst. Adj. Gen., army of the South.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, June 16, 1837.

SIR: I have had the honor to receive your two letters of the 25th of last month; and, in reply, I have to remark that my measures for the protection of the Indians were not adopted until after the mischief had been done. The Indians have been tampered with by interested white men; but, from facts which are daily coming to my knowledge, I doubt whether the chiefs could exercise sufficient influence over their people to induce any considerable portion of them to leave the country; and, if they determine to remain, it will depend upon themselves how long they will remain; they cannot be driven out, so long as they can obtain ammunition, unless we use northern Indians and Spanish bloodhounds.

We may harass them, and ultimately destroy them, but it will cost as much time and treasure as the war carried on by the British Government against the Maroons. I have no books to refer to; but that war, if I remember right, was terminated by the bloodhounds; and resulted not in unconditional submission, but in a treaty which secured both liberty and property to the conquered. How far such a policy would be proper in the present case I am hardly prepared to give an opinion. The question is surrounded by difficulties, view it as you will. The two races, the negro and the Indian, are rapidly approximating; they are identified in interests and feelings; and I have ascertained that, at the battle of the Wahoo, a negro, the property of a Florida planter, was one of the most distinguished of the leaders; and I have learned that the depredations committed on the plantations east of the St. John's were perpetrated by the plantation negroes, headed by an Indian negro, John Cæsar, since killed, and aided by some six or seven vagabond Indians, who had no character among their people as warriors.

Should the Indians remain in this Territory, the negroes among them will form a rallying point for runaway negroes from the adjacent States; and, should they remove, the fastnesses of the country would be immediately occupied by negroes. I am very sure they could be confined to a small district near Florida point; and would accept peace, and the small district referred to, as the condition for the surrender of all runaway negroes. I throw out these hints for the consideration of my official superiors, without pretending to offer an opinion as to the propriety of adopting them, and

I am, sir, most respectfully, your obedient servant,

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, Florida, August 10, 1837.

SIR: I had the honor to receive your letter of the 25th ultimo on the night of the 7th instant, when ready to take my departure for the Suwannee frontier. I deferred my journey, and proceeded on the 8th instant to Jacksonville, to select a site for the depot which you direct me to establish there.

A tornado, which occurred on the 6th instant, had destroyed the public storehouses and wharf erected at Jacksonville last year. The site of those buildings immediately on the bank of the river being preferable, in my opinion, to any other in the vicinity of the town, I ordered the acting quartermaster, Lieutenant Watson, to remove the ruins, and take immediate measures to construct storehouses for two hundred thousand rations of subsistence and sixty thousand rations of forage.

He will be compelled to bring materials and workmen from St. Mary's and Savannah; this country will supply neither.

The ordnance depot has been already established here, and cannot be removed without great labor, expense, and danger of injuring both arms and ammunition; it must necessarily be continued here. The site is a few miles out of position; but it has advantages which obviate entirely that inconvenience; it has extensive ranges of storehouses for subsistence and other stores; sheds for hogs, and stables for horses; besides, it has a secure harbor in all storms, and steamers and other vessels lie alongside of the storehouses, and discharge their cargoes, or take them in, without the necessity of wharves. The principal wood-yards, too, are on Black creek, and less than half the time is required for steamers to take in their wood here than would be required on the St. John's. This place is necessarily the depot for the ports on this frontier as far as Micapony and Fort King, as it is the point where the mode of transportation changes from water to land transports; I therefore consider it advisable to continue it as a principal depot, in addition to that at Jacksonville.

St. Augustine, or a post south of it, must be the depot for the force that may operate from the Atlantic coast of the peninsula to the interior.

The principal depot on the western side of the peninsula will be at Fort Brooke, Tampa Bay ; and should the troops on that side operate in two columns, a depot for the southern column must be established on Charlotte's harbor.

The experience of the last year has demonstrated the superiority of sea or sail vessels over the best steamers, as transports between New Orleans and Tampa Bay. The use of steamers on that side of the peninsula should be limited to the communication between the posts on the coast, and to the towing of vessels on the rivers and in the bays.

For the supply of this depot, and that at St. Augustine, both steamers and sail vessels are used ; and if the supplies be drawn from Charleston and Savannah, it would be difficult to determine which should be preferred ; the former are more expensive, but are considered by the quartermaster here, Lieutenant Clark, more certain, and are therefore preferred by him. If the supplies be drawn from New York, Philadelphia, or Baltimore, sail vessels would be preferable ; but they should not draw over eight feet water.

One or two good steamers, of light draught, will be required between St. Augustine and the stations of the troops south of that place on the Atlantic ; four on the St. John's, below Fort Mellon, and two above that post, if any of sufficiently light draught can be obtained.

A good sea steamer will be required to communicate between Tampa Bay and the posts north and south ; there is one chartered and now in the service, which is every way suitable. There are four small steamers owned by the public on the Gulf ; two are in the possession of the navy, and are believed to be at Pensacola. The others are in the possession of the quartermaster's department. These five boats are amply sufficient for every purpose for which steamboats may be required on that side of the peninsula.

If the war should be protracted beyond the approaching campaign, it would be preferable to purchase all the steamers required for the service. When, however, the loss on the sale of them be considered, it would be less expensive to hire them, if a single campaign should end the war.

Previous to receiving your letter, I had given directions for the repair of all the barges and flat-boats in the possession of the quartermaster's department, and for the purchase and construction of such additional number as may be necessary ; they will be ready by the 1st October.

As to land transportation, I have already written to the acting quartermaster general, apprizing him of the means necessary in addition to those on hand ; mules for packing and light two-horse wagons drawn by mules, the bodies of the wagons to be water-tight, are preferable for operations in the field. Light four-horse wagons, also drawn by mules, should be used to supply the interior depots. A corps of industrious, sober, and experienced wagon-drivers, also pack-horsemen, boatmen, mechanics, and laborers, are necessary to the efficient operations of the army.

A dredge-boat is required to remove the bars at the head of Lake George and Lake Monroe. If the boat in the possession of the engineer department on this coast could be employed under the direction of the officer who has charge of it, those obstructions might be readily removed,

and the St. John's made an avenue for the transportation of troops and supplies near two hundred miles.

In relation to the force which it is proposed to employ in Florida, it is my duty to remark that the recruits should, as far as possible, be raised in the agricultural districts of the country; those for cavalry, particularly, should be selected with great care from the mountainous regions of Virginia, Kentucky, Tennessee, and North Carolina, where every one is accustomed to horses and firearms from his infancy. In the more populous districts of the country, our people are fast losing those military characteristics which formerly distinguished them. Where all were once good riders and good marksmen, few are now to be found who either understand the horse or the gun, and the term of enlistment is too short to acquire with any degree of perfection the use of either.

The Indians, if they can be obtained, and should arrive in time, will be a most important acquisition; without them, success will be doubtful, no matter what our numbers may be; with their aid and that of the spy companies proposed, the war may be ended in a single campaign. The hostile Indians are represented to be greatly divided in their councils, and it is probable, when we shall have actually taken the field, the party under Micanopy may yield. This probability, however, should not induce us to relax in our preparations.

As to any militia force which may be necessary, it would be impossible to obtain it in companies; if draughts, they must necessarily have the organization prescribed by law; if volunteers, they will insist on that organization which will give the most rank to the officers through whose influence they are raised. I consider the efficiency of militia in such a warfare as this, entirely depending upon their horses; and it would be better to dispense with them entirely than to receive them as infantry, except such as may be employed to garrison posts and protect trains. If men who understand the care and management of horses and the use of arms can be obtained for the dragoon regiment in sufficient numbers for the wants of the service, mounted volunteers may safely be dispensed with; but if such men as now compose the companies serving here be sent, that description of troops will absolutely be necessary.

When I presented my project for the next campaign, I did not suppose that I should direct the operations. I presented the results of a careful investigation of all the data which I had been able to collect, and recommended that plan which I honestly thought would best ensure success, no matter who might command the army. I have obtained much additional information since, yet I find no reason to change the views taken at that time. The mounted men which I then recommended I believed to be necessary; I still believe them to be necessary. That it is difficult to support them in Florida, I am fully aware; but this is a service surrounded by difficulties, and it must be our business to surmount them. I owed my success in the Creek country to my mounted men; without them, I should have failed; and if I had had, in March last, six hundred men on fresh horses, I would have sent the Indians off before the middle of April. My horses, as well as my men, were broken down, and I had no means of controlling the Indians; they saw my situation, and governed themselves accordingly. Were I to recommend a change, it would be to increase, not diminish, the mounted force.

I enclose a sketch of the country which has been the theatre of my operations, hastily prepared by Captain Searle, from such data as we happened to have at hand. It will give a good general idea of the courses of rivers and trails, and the relative positions of posts and places. The posts marked in red ink are now occupied; those in black have been abandoned, in consequence of their unhealthiness.

When I was placed in command of this army, the hostile Indians occupied the whole country between the Atlantic and the Suwannee, from St. Augustine and the Santa Fé, to the southern extremity of the peninsula, and small bands were scattered along the Georgia line, and thence down the western side of the Suwannee, and across towards the Oseilla.

Powell with a party of Mickasukies and negroes, and Echo Emathla with the Tallahassers, were in the Paniesufekkee and Wahoo swamps, on the Ouithlacoochee. Yaholoochee, (Cloud,) with the Isocotsattei Indians, was in the Cove. Osoochee, (Cooper,) with a few warriors and a number of Indians and runaway negroes, was on the western side of Ahapopka lake. Big Alligator and John Hicks, with a band of Mickasukies, Uchees, and Seminoles, traversed the frontier from Fort Heileman to Deadman's Bay, west of the Suwannee. Nocose Yahola was near the Georgia line. Sam Jones was between Ahapopka and the St. John's. Philip and Coe Hajo, with their people, occupied the country on both sides of the St. John's around Lake Monroe. Chekika was on the Atlantic, below Indian river. Micanopy, Jumper, Little Alligator, with their people, and a large band of Indians and captured negroes, were on the Tohopkaliga and Kissimmee. Holatoochee occupied the country south of the Kissimmee and east of the Catoosahatchee; and Holati Micco, with the Tallassees, was on Pease creek.

Forts Clinch, Drane, Gililand, Heileman, and Call, had been established. My division was at Tampa Bay, and Governor Call's at Volusia. I had passed through the country, from the former to the latter post, with a small mounted force, and had succeeded in making forty-two prisoners, from some of whom I obtained valuable information. I determined at once on the line of posts from Volusia to Tampa, to serve as a base, whence I could operate in every direction. That line is not, as you seem to suppose, parallel to the coast, which, under ordinary circumstances, would have been in accordance with correct military principles, but extends diagonally across the country, and commands every principal route by which the enemy was accustomed to pass, from one side of the peninsula to the other. It was adapted to the circumstances in which I found myself at the time, and it had the effect of a series of bases; each interior post serving as a new base, from which my lines of operations could be pushed in any direction where an enemy was to be found. With all the additional information I have since obtained, in regard to the Indians and the country, I would, if similarly situated, adopt precisely the same line.

With the exception of several small roving bands, the Indians are now south of Fort Mellon, on the St. John's and Kissimmee. The captured and runaway negroes are between St. John's and Indian rivers, and the Indian negroes on the Kissimmee, Caloosahatchee, and Pease creek.

I propose to make Fort Mellon a principal depot, and establish ports south of it on the river, and southwest of it, Tohopkaliga, should circumstances require them.

The column operating from Tampa Bay will open a road on the route indicated by the dotted line, throw a bridge across Pease creek, and erect a stockade to defend it, in which will be placed fifteen or twenty day's rations of subsistence and forage. It will then proceed to the Kissimmee, construct a bridge with a single block-house to defend it, and then be governed by circumstances.

The southern column, operating on the western side of the peninsula, will ascend the Caloosahatchee about forty miles, to the falls, and then either proceed by land, or in small boats, to the Indian settlements in the interior of that part of the country.

Before I determine either the point of departure or the route of the Atlantic column, further information in regard to the country must be obtained. Lieutenant Colonel Harney will proceed in a few days to Indian river, and perhaps south of it, to ascertain the nature of the country, and to select a proper site for a post and depot.

I am apprehensive of the Indians obtaining powder from Havana on the one side, and New Providence on the other; and if a small naval force, or even the cutters which were under the direction of the navy last winter, could be spared, much advantage would result to the service.

I desire that the steamers in the possession of the navy be placed subject to my control, and if the officers who commanded them during the last campaign, Lieutenants Huntner and Johnson, could be assigned to the command of them during the approaching campaign, they would be able to render most efficient service.

As far as depends upon me, everything shall be done to ensure success: and

I have the honor to be, with high consideration and respect, sir, your obedient servant,

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

P. S. On my return to Tampa Bay, I shall forward a more correct map of the country, which was being prepared when I left that post.

T. S. J.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, August 15, 1837.

SIR: In December last I requested the ordnance officer attached to the army, Captain D'Lagnel, to order several light mountain howitzers for service here, the model of which, I was informed, had been introduced from France by the Ordnance department.

Greatly to my surprise, when the guns arrived, I found that they were mounted on carriages, the wheels of which were not over thirty-six inches in diameter, and the axles not more than forty-eight inches in length. They were an exact copy of the French carriage, without any regard to the difference of situation and circumstances of our country, when compared with France.

That country, you know, has the Pyrenees on one frontier and the Alps on another. The mountain guns are intended for those frontiers.

consequence of the short axles, they are readily moved on the mule paths through the mountain passes, either on the backs of mules, or by soldiers with drag ropes. The United States have no mountain frontiers; their armies operate through wide forests and marshes, and over extensive sandy plains, either on the trails of Indians or on roads hastily opened by the troops; numerous deep and rapid streams have to be crossed without bridges, in almost every day's march.

The mountain carriages are so low that they would in this country be often entirely under water, and the axles being but a few inches from the ground, the movement of the guns would be impeded at every step by stumps, and even by the large tufts of grass in the sand plains and wet prairies. The track of the carriages not being so wide as that of other carriages, they would, on the sandy and muddy roads of Florida, be constantly sliding from one side to the other, and would upset whenever the wheels on either side should fall into the carriage or wagon track. I think the present carriage, on such roads as we have here, would be overturned from twenty to fifty times a day.

If the four pieces here were mounted on suitable carriages, I would have them equipped as light artillery, have the men who serve them mounted, and let them accompany the dragoons and mounted volunteers in their rapid movements against the enemy; they would then be a most formidable addition to our offensive means; now they are entirely useless, and, with their present carriages, they never can be otherwise, until our population shall have spread over the plains west of the Mississippi to the Rocky mountains, and our operations be carried on in the passes of these mountains.

In nothing is our blind devotion to Europe more strikingly exemplified than in adopting into our service the mountain gun, as used in France. It seems to have been adopted with all the details of its equipment, merely because it was French, without any inquiry as to the uses to which it was applied there, or the objects to be effected by it here. I am not opposed to European improvements, but I would adopt their general principles, and arrange the details to suit our peculiar circumstances and the nature of our country.

The gun itself is precisely what we want; but we require for it a carriage that will run in the same track with other carriages, with wheels of sufficient diameter to raise it above the ordinary streams, and to pass over our frontier roads without obstruction or difficulty. The iron howitzers sent hither, and even the iron six-pounders, are too heavy for this service. There are neither workmen nor materials here to construct carriages for the mountain guns, and I am apprehensive that we shall have to dispense with them entirely; unwilling to complain without cause, I have given them a fair trial, and to attempt to use them in their present carriages would be anything but an evidence of wisdom; it would be the extreme of folly. If a suitable carriage for a single one of them could be made at Watervleit or Washington arsenal, and sent out, it would be of great importance to the service.

I have the honor to be, most respectfully, your obedient servant.

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Micanopy, August 21, 1837.

SIR : In my report of the 15th of June, I referred to certain conduct ascribed to Captain William Bunce, of Tampa Bay ; and I appended a statement of the principal Creek chief, Tustenuggee Emathlo, of information obtained by him on the subject from a Creek Indian who had spent the last winter and spring with the Mickasukies. I consider it my duty to forward the statement of the chief ; and the circumstances were of such a nature, taken in connexion with events that had then but recently occurred, that I could not with propriety have withheld it. As the publication of the statement, however, without the explanations or defence of Captain Bunce, might inflict a serious injury on him, when he may be entirely innocent or only have talked imprudently, I desire that all that relates to him be considered confidential, and be withheld from publication, should it be thought proper to publish the military part of the report.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

Major General commanding.

The Hon. JOEL R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Micanopy, August 22, 1837.

SIR : In consequence of a despatch from the commanding officer at Fort King, informing me of the arrival of several Seminole chiefs in that vicinity, and of their desire to see me, I proceeded thither on the 18th, when I found Coe Hajo, a principal chief, Tuskaenaha, a sub-chief of Philip's, and Hicks, a sub-chief of the Mickasukies. I had a long conference with Coe Hajo on the 19th, and at his request I met him ; Tuskaenaha and Hicks, on the 20th ; the conference occupied more than four hours, and every topic connected with the treaties, the commencement of the war, and the present condition and future prospects of the Indians, was discussed.

Coe Hajo stated, in general terms, the desire of the whole people to be at peace with us ; he said that even the body of the Mickasukies were tired of the war, and were beginning to consider the contest, and talk of it as hopeless ; but, he added, they had an old man among them, Appiaeca, (Sam Jones,) who gave them bad advice, and who had caused most of the recent difficulty. He intimated that the Indians would prefer to remain in the country, but even the Mickasukies were convinced they could not contend successfully against us, and all, except Jones, expressed their anxiety for peace ; that to show the sincerity of their intentions they had sent out runners to order all the hunting parties to leave the frontiers, and that all had received orders not to disturb white men or their property ; that the cattle and horses recently taken were stolen by a small party of Hitchitees, who had within a few days arrived from the Creek country ; and the cattle taken east of the St. John's had been stolen by a party who had left camp without the knowledge of the chiefs. He declared that no

further depredations should be committed, and he was, as all the Indians were, anxious that a trading-house should be established, where they could dispose of the proceeds of the chase, and receive, in return, clothing and other necessaries.

I informed them that the Government, as well as the people of the United States, desired to save them, not to destroy them ; that our whole people would rather load them with favors than inflict a single injury upon them, but that we required all people to fulfil their engagements with us ; that they must understand, distinctly, that they would not be permitted to remain in the country ; that they must make up their minds to leave it, and I desired them to say this to the chiefs, and communicate it to the people ; that they have destroyed so many lives, and so vast an amount of property, that it would be impossible for them and the citizens of Florida to remain together in the same country ; that, having violated all their engagements, we could not trust them again. We knew that the chiefs had been averse to the war from the beginning, but that they had not been able to control their warriors, and we could not trust our women, children, and old men, in the neighborhood of people who had so often deceived us.

I stated to them that we were prepared either for peace or war, the choice was with them ; that we would rather save than destroy them ; that if they desired any favors from our Government or people, they must prove themselves worthy of them by fulfilling, with scrupulous fidelity, all their engagements. That if they have any complaints to make, or favors to ask, the President would receive a deputation from them after they have established themselves in their new homes west of the Mississippi.

I intimated to them, as Appiacca, (Sam Jones,) had proved himself a bad man, and had caused, as they acknowledged, many of the difficulties with which they were surrounded, they owed it to themselves and their families to displace him ; and I declared to them, at the same time, that I would not recognise him as a chief, nor, under any circumstances, receive a message from him, or transact any business with him. There was a young man with them, whom they stated to be the representative of Jones ; I refused to see him, and charged Hicks with all I had to say to the Mickasukies. I urged upon them the necessity of removing Jones, and appointing a sensible man as chief, who would be capable of understanding their true interests, and giving them good advice. I advised them to have their chiefs assembled, to let them know our determination to require the fulfilment of the treaty, and the surrender of all the property which they had taken. I advised them to take time and consider their situation in all its bearings, and their recent and present conduct in all its consequences, and determine like sensible men, and not like boys. As for the trading establishment, I informed them that I must be satisfied of the sincerity of their intentions before such an advantage could be conceded to them ; that they must surrender the captured negroes first, and then I would answer them on that point.

They declared that all hostilities and depredations should cease, and not be resumed, and that the negroes should be restored. All the parties now on the frontier are to be withdrawn ; the chiefs of the nation will be assembled, and Coe Hajo is to visit Fort King again, for the purpose of

communicating the result of the council of chiefs, and making further arrangements in regard to future intercourse.

Of the prisoners in my possession there are eighteen Mickasukies; among them are the wife and children of Hicks, the sub-chief. I assured him and Coe Hajo that I would hold the prisoners accountable for the conduct of the Indians; that if parties of the latter continued to plunder, I would confine the prisoners in irons; and if any murders were committed, I would execute them.

I place but little reliance on the professions of the Indians, but my object is to gain time, and save the frontier during the sickly season; and the result of the conference is at least four weeks work for them in council, and in communicating with us.

I have the honor to be, &c.

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Tampa Bay, August 28, 1837.

SIR: I enclose a copy of a letter received to-day from General P. F. Smith, of Louisiana. The general commanded a regiment under General Scott and General Gaines in the first campaign, not only with credit but with distinction. If he could bring a regiment of infantry into the field, and I have no doubt of his ability to do so, the service would be greatly benefited. By adding to his regiment a small body of regular troops, he would be able, with naval co-operation, to commence his operations at Charlotte's harbor, or further south, and destroy or drive out the parties of Indians in the southern portion of the peninsula.

I greatly fear that the regular force expected to be in the field cannot be obtained in time for an early campaign; and if we permit the months of November and December to pass without the most active and vigorous operations, we may expect another year of war, at least.

Of the regular troops now in Florida, but few can be relied on in any event; most of them have gone through two severe campaigns, and both officers and men are entirely broken down. Volunteers cannot be obtained from Georgia or Alabama, and I consider it of the utmost importance that a regiment should be obtained from Louisiana, and of equal importance that General Smith should command it.

I have the honor to be, most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

NEW ORLEANS, July 30, 1837.

GENERAL: On my arrival here, about the beginning of this month, Lieutenant Cross communicated to me a letter from you, on the subject of raising a corps for the next campaign. There is nothing I desire more

than to assist in finishing the war in Florida, and if, at the time the campaign is about to open, you still desire any volunteers from this place, I shall be ready to do all I can to raise them. The obstacles in the way of any earlier efforts are several; some of them, which are personal to myself, are, that I should like to be assured that command-in-chief is to remain with an officer who has learned the country and the enemy; if a new chief is to be substituted, the next campaign will end in acquiring the knowledge you have now, and teaching the Indians our modes of warfare, instead of learning theirs. I have no desire to fall into the hands of a new doctor, who has some new nostrum to try; I wish to be under the old practitioner who has made all his experiments, and is now about to derive the benefit of them.

My absence on a former campaign, and at Frederick, this last winter, have entirely interrupted my professional labors at the bar, and it is essential to my interest that I should recommence them with the opening of the courts in November. I should, if I undertook to raise a corps of volunteers, have to resign the office of adjutant general of the State, the salary of which is now of importance to me. These are reasons why I would now avoid any attempt to enrol a corps, while I am uncertain whether it would be desirable, when the campaign opens, to join in it or not. I do not balance the advantages of my profession or office against the command of a corps in service; I prefer the latter, by all odds; but I am loath to abandon the former until the latter is assured. As to the probability of raising either a regiment or brigade, it is one of the most uncertain things that can be imagined; it would fail if proposed now, for the period at which the service is to be commenced is too far off, and every one would postpone joining until the last moment, and by that time the excitement of the first moment would be worn out. The regiment I commanded in 1836 left the service of the United States highly and justly discontented with it. They had served the whole time faithfully, indeed, had passed it nearly two weeks, had been the whole time in constant activity, and when they arrived here, in rags and poverty, found not the slightest preparation on the part of the Government to pay them off, notwithstanding the most positive orders on the part of General Scott. The Governor of the State was obliged to borrow money and pay them, and the paymaster who was sent here afterwards under General Scott's orders was immediately remanded to Alabama; so that the whole regiment left the service under feelings not well calculated to induce them to enter it again. But as more than a year has already passed, I believe that those feelings have in a great measure dissipated, and the hope of an active and vigorous campaign would bring them again into the field. I do not think that this State could furnish any horsemen; the prairies, you know, where all are horsemen, are not inhabited by a population that would furnish many volunteers in the service, nor are their horses fit for the purpose, being mostly small ponies.

Having laid before you, general, all the obstacles in our way, let me conclude with the other side of the question: That if you are to continue in command, and just at the moment that the troops are wanted, will make a call of volunteers from this State to join you, I will for one answer to it, and will leave nothing undone to bring at least a regiment to you.

I am obliged to leave this to-morrow for the North, and will leave Philadelphia on my return about the 20th of September, but nothing shall detain me on hearing from you. I will prepare the gentlemen who are to accompany me as officers to act in my absence; and if you will direct any communication intended for me to Lieutenant Cross, that he, if I am not here, may make it known to my associates, I will answer that everything that can be done will be done. I shall be highly honored, also, to receive any communication from you directed to me at Philadelphia. Permit me to suggest, general, that more latitude be allowed in mustering men into service: for instance, that individuals who enrol themselves may be received and furnished with quarters and subsistence until they can be organized into a company, and so on, as if they were a detachment of recruits. A regiment could be raised in a week in New Orleans, if this were permitted.

It appears from the murders committed about Florida light, that the Indians frequent those parts. How would it answer to throw the troops from New Orleans on to the Cape? There are harbors there known to the wreckers; and let them push northward through there terrible but unknown Everglades. One great advantage would be, that the farther they advanced the nearer they would approach supplies, which might be sent from Tampa Bay to the head-waters of the Sannebel, (or Saw Noel,) emptying into Carlos harbor. I should be glad to undertake the expedition, if you thought it advantageous, and I succeed in raising men. The Spaniards who were brought from the Rancho at Charlotte's harbor, especially one called Rubio, knows the Sannebel well.

Whatever may be your determination, I hope to have the pleasure of hearing from you at Philadelphia, upon which I will be prepared to act immediately.

With sincere respect, your obedient servant,

P. F. SMITH.

Maj. Gen. T. S. JESUP,

Commanding army of Florida.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, August 30, 1837.

SIR: I received on my way to this place your letter of the 3d instant. The post which you direct at Charlotte's harbor I consider of so much importance that I would have established it a month ago, but for the crippled condition of the troops. Force cannot now be spared for that object, unless the marines be returned; and in consequence of the orders I received in July from the General-in-chief in relation to them, I do not feel myself at liberty to retain them.

In regard to calling the Florida volunteers into service, I had no choice; disease was increasing among the regular troops in so alarming a degree that additional force became necessary for the protection of the frontier. To give confidence to the people, and prevent the settlements from breaking up, the most prompt measures were necessary. The Floridians, unless taken into service, could not, deprived as they had

been, by the events of the war, of their accustomed avocations, have remained in the country ; they must have sought elsewhere security for their families and employment for themselves. Had it been possible to obtain volunteers from the neighboring States, they could not have arrived in time to save the frontier. My only alternative was the immediate military organization of the inhabitants. The least delay on my part would have exposed the frontier to attack and devastation ; it is now secure, and we have gained the great moral and military advantage of impressing the people with a confidence in their own ability to protect themselves. Had I relied on troops from the adjoining States, the Floridians must have imbodyed for the protection of their families until they could have removed them from the country ; in that event, the public must have fed and ultimately paid them. But the experience of last year proved that troops could not be obtained from the adjoining States during the sickly season, and there was no probability of obtaining them during the present season. The Floridians were on the frontier ; they were acclimated, and, in every aspect in which the subject can be viewed, are better qualified for the duty now assigned to them than any other troops that could be employed. Had you been on the spot, I am confident you would have ordered what I have done.

With high consideration and respect, I have the honor to be your obedient servant,

THOS. S. JESUP.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Tampa Bay, September 2, 1837.

SIR: I have received your letter of the 18th ultimo, and will take immediate measures to call into service the requisite volunteer force. I wrote to General Smith, of Louisiana, yesterday, and authorized him to raise a regiment.

It will be a work of time to raise and bring into the field a volunteer force sufficient to produce any decisive effect on the enemy ; and I greatly fear that the season best adapted to efficient operations will have passed before an adequate force be obtained.

As to re-enlisting the soldiers discharged in Florida, it is out of the question ; not a man who has served in this country, and who is worth retaining, will engage again ; and unless the condition of the soldier be greatly ameliorated, or a different mode of filling the ranks be adopted, we cannot hope to keep up even our small army. There is no inducement to any man to enter our service as a private soldier ; in any other employment he has a better opportunity of supporting himself, and of making provision for old age ; for, no matter what his merits, or how faithfully he may serve, he has nothing to look forward to but to be turned out and starve, when he shall be no longer capable of performing the duties of a soldier.

If the term of enlistment were extended to five years, and a small bounty were allowed on the first engagement, double bounty on the

second, and a pension for life to those who should serve faithfully during three entire enlistments, the ranks could be filled with the best materials, and the establishment be kept complete and efficient. I know many eloquent objections will be urged against the pension system; but it is time that we disregard idle declamation, and take common-sense views of the subject. If the army is worth anything, it is worth being made efficient; without good soldiers it cannot be efficient; to retain it as it is at present is an imposition upon the people; and the question, it seems to me, should be, whether we shall dispense with it entirely, or introduce such modifications into its constitution and administration, as shall render it, what it professes to be, a safe defence against sudden aggression, and a sure rallying point for the militia.

I have the honor to be, with high consideration and respect, your obedient servant,

THOS. S. JESUP.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, September 22, 1837.

SIR: I received on the 15th instant, on my way to this frontier, your letters of the 25th and 30th August, and the 2d of September, and on the 18th your letters of the 6th. The last detachment of the Creek warriors left Tampa for the Pass Christian on the 11th instant, and I gave orders at the same time that, on their arrival there, they should be mustered, discharged, and immediately move westward.

The Creek Indians had been promised a reward for the captures they should make of negroes belonging to citizens of the United States; had compensation not been promised, they would have taken no prisoners, but would have put all to death. I compromised with them by allowing them twenty dollars for each slave captured. They were entitled, agreeably to the promises made to them before they entered the service, to all Indian negroes and other Indian property captured by them. To end all difficulty on that subject, I have purchased the negroes from them, on account of the public, for eight thousand dollars. There are about eighty of the negroes, besides Abram's family, and those who are free; some of them, perhaps, may be found on investigation to be the property of citizens. I respectfully ask that this purchase be sanctioned. The Seminole annuity, it seems to me, might be charged with the amount paid to the Indians for these negroes, as well as with the reward for securing those who belonged to citizens.

It is highly important to the slaveholding States that these negroes be sent out of the country; and I would strongly recommend that they be sent to one of our colonies in Africa.

The sum paid to the Indians is entirely satisfactory to them, though it is far less than the value of the negroes.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, September 25, 1837.

SIR : I have the honor to acknowledge the receipt of your letters of the 9th and 13th instant.

I omitted to inform you, in my letter of the 22d instant, that I have accepted a battalion of volunteers offered by the acting Governor of Alabama, to be raised by General Andrew Moore, a gentleman well known to Governor Clay. General Moore sent me one of the best battalions last fall I have ever seen : that which he proposes to raise this fall he expects to command himself. If he succeeds in raising the battalion, we shall find it most useful and efficient.

Under the authority of the last paragraph of your letter of the 30th ultimo, I have called on the superintendent or agent of the Choctaws, to increase the force from that nation from two to five hundred warriors, and to send them on with as little delay as practicable.

General Hernandez's operations, though upon a small scale, have resulted most fortunately. The Indians and negroes killed and taken amount to forty-nine : among the prisoners are three important chiefs King Philip, (Emathla,) and Euchee Billy, and his brother Euchee Jack ; also John Philip, the only negro chief who had not been previously secured.

I shall send a detachment in a few days with the dredge-boat, which has been already reported to me to remove the bar at the head of Lake George ; and as soon as a re-enforcement of two hundred men join, I shall reoccupy Fort Mellon. I may be deceived in my expectations, but I believe we shall not fail of success. I am taking my measures so as to hold all the ground we shall occupy, and not recede after having moved forward.

Communications directed to me at Garey's Ferry will reach me more readily than if directed to any other point.

In consequence of the prevalence of yellow fever in New Orleans, General Smith may be delayed in getting his regiment into the field, and it is reported here that we shall have draughts from South Carolina, and not volunteers. The draughts we had from that State last winter behaved admirably ; the objection to that description of force is the shortness of the period which they can be required to serve.

I have the honor to be your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, October 2, 1837.

SIR : A regiment of volunteers has been raised in North Alabama, for service in Florida ; the people of that region are excellent gunmen ; they will serve as spies or as troops of the line with equal efficiency ; and that which will add greatly to the value of the corps which has been offered

is, that many of the officers and men of Lieut. Col. Cawfield's fine battalion will join it. If the northern Indians should not arrive, and I learn by letters from St. Louis that they will not probably be raised, this regiment will be invaluable. I have written to the acting Governor, requesting that it be sent on with as little delay as possible. Major Churchill, of the army, who has recently been in North Alabama, informs me that the regiment may be marched into Florida during the present month; if so, it could be brought into action with the regular troops, before the volunteers from any other quarter arrive. If the whole force required from Alabama has been countermanded, I respectfully ask that this regiment be excepted, and permitted to join me.

I have obtained by the captures made by General Hernandez most valuable guides; and from some of them I have already obtained valuable information, as well in regard to the disposition and intention of the Indians, as to their present position. If I had a thousand men on fresh horses, I could in less than three weeks destroy the Mickasukies: my object will be to pursue such a policy as shall induce them to remain in their present positions, until the army be ready for the field.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, October 3, 1837.

SIR: When the Government determined to raise a regiment of volunteer Creek warriors for service in Florida, instructions were given to me by the President, then at the Hermitage, to organize it and appoint the officers. I desired to appoint gentlemen who had served with me in the Creek war, and who had passed many years among the Indians; but as those whom I desired to appoint, Colonel Walker, General Woodward, and Major Collins, had been engaged in purchasing Indian lands, the chiefs objected to them, and insisted that I should appoint my ("your") "*own men*," meaning officers of the regular army. The principal chief, Hopothley Yahola, stated that all the white men in the country, except those who wore uniform, were combined to cheat them. The President had designated Colonel Lane, then a captain of dragoons, to command the corps. I wished Colonel Walker to accept the lieutenant colonelcy, and General Woodward the majority. Colonel Walker agreed to accompany the corps to Florida, but, in consequence of the infirm state of his health, he refused to take an appointment in the regiment. The opposition to General Woodward among the chiefs was so great, even among those whom I relied on to support him, that I found it would not be possible to give him the second place. I was so occupied that I could not, as the President had directed, organize the regiment; and, besides, desertions from it were taking place daily. I therefore directed Colonel Lane to proceed with it to Florida, and organize it there; and I urged upon him the importance of prevailing upon Colonel Walker to

take the lieutenant colonelcy, and of giving to General Woodward the majority. It was understood, however, that Captain Brown should be a lieutenant colonel, if Colonel Walker should still decline: this gentleman died at Appalachicola, and Captain Brown was appointed. The difficulties continued, in regard to General Woodward, and he left the regiment at Appalachicola; Captain Morris was appointed major.

It was understood, between me and the principal chiefs, that if more than twelve companies should be raised, then two majors should be appointed.

Captain Brown has informed me that pay has been refused to the officers, in consequence of the alleged illegality of their appointments. The regiment was organized within the Territory of Florida, and I considered it, in regard to the law, upon a footing with any other volunteer regiment; if it had been composed of white men, the Governor of Florida would have commissioned the officers under the law. All those officers occupied precisely the same relation to the service that the present surgeon general did, when he served as lieutenant colonel of a regiment of volunteers from Louisiana. The services have been performed, and well performed, and the officers have earned, by the most arduous exertion and gallant conduct, the pay attached to their several grades. If Lieutenant Colonel Lawson was paid for his services with the Louisiana regiment, I respectfully ask that the case of the officers of the Creek regiment be reconsidered; and if the Executive has not the power to direct their payment, I beg that the matter be referred to Congress.

Separated from my papers, I have to write entirely from recollection; but copies of the President's letters to me will be found on file in the War Office.

With high consideration and respect, I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

A.

Extract from Major General Thomas S. Jesup's "orders," No. 50.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mitchell, July 25, 1836.

A band of friendly Indian warriors will be raised immediately, and organized for special service, under instructions from the commanding general. They will be mustered into service, mounted, equipped, supplied, and paid as mounted volunteers for twelve months, unless sooner discharged. Captain J. F. Lane is appointed to raise, organize, and command them. He will be mustered in for the same period as colonel, subject to the approval of the President of the United States.

B.

HEADQUARTERS, FORT DRANE,

October 29, 1836.

SIR: I have the honor to enclose to you two general orders, providing for the appointment of the officers of the regiment of Creek volunteers, subject, however, to your approval. Those announced in the order of the 28th instant had previously, with one exception, received the sanction of Colonel Lane and of General Jesup, and were only confirmed by me, but with entire satisfaction.

Those announced in the order of the 29th are officers of well-known and approved merit. I feel the utmost confidence that they will all do justice to the trust reposed in them, and respectfully recommend them all to your favorable consideration and approval.

I shall soon have the honor to write to you more fully of my movements, which shall be rapid and consecutive from this point.

I have the honor to be, very respectfully, sir, your obedient servant,

R. K. CALL,

Commanding army of Florida.

C.

GENERAL ORDERS.

HEADQUARTERS, FORT DRANE,

October 28, 1836.

The following appointments in the regiment of Creek volunteers, to take effect from their dates, respectively, and until the pleasure of the President of the United States be known, are hereby announced to the army by the general commanding-in-chief in Florida:

Lieutenant colonel,	-	Harvey Brown,	September 1, 1836.
Major,	-	William Morris,	" "
Captains,	-	1. William B. Moniac,	August 17, 1836.
		2. William B. Piercy,	September 1, 1836.
		3. Frederick Searle,	" "
		4. William G. Freeman,	" "
		5. Joseph Roberts,	" "
		6. John H. Watson,	" "
		7. Simon A. Drum,	" "
		8. Thomas H. Bradley,	" "
		9. Andrew Ross,	October 22, 1836.
Lieutenants,	-	1. George Boyd,	September 1, 1836.
		2. John Collins,	" "

They will be obeyed and respected accordingly. By order of the commanding general of the army in Florida.

THOMAS RANDALL,

Adjutant and Inspector General.

D.

GENERAL ORDER.

HEADQUARTERS, FORT DRANE,

October 29, 1836.

The commander-in-chief announces to the army under his command the following additional appointments in the regiment of Creek volunteers, to take effect from this day, and until the pleasure of the President of the United States be known :

Brevet Lieutenant Colonel Pierce, of the army of the United States, to be colonel of the regiment, vice Lane, deceased. Lieutenants Herbert and Betts, of the 1st artillery, and Lieutenant Johnson, of the Florida volunteers, to be captains.

They will be obeyed and respected accordingly. By order of the general commanding-in-chief in Florida.

THOMAS RANDALL,

Adjutant and Inspector General.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, October 10, 1837.

SIR : I wrote to the adjutant general yesterday, and enclosed a copy of a report from Captain H. Brown of the examination of several negroes who surrendered at Fort Peyton on the 7th instant. On a further examination, it is ascertained that there is a large party of the Seminoles for peace and emigration, but they are overawed by the Mickasukies. That tribe, with such of the Seminoles as are under the influence of Powell, will resist to the utmost. The Tallahassees, Hitchitees, Euchees, with all who have left the Creek country within the last three or four years, will either fight or fly to fastnesses further south.

The principal Indian force is now concentrated within two days' rapid march from Fort Mellon. If the troops were here, I could find them in less than a week. With the information I now have, I will not wait for volunteers from the States; but, relying upon those of the country, shall press forward the moment the regular troops arrive. A severe blow struck at once at the Mickasukies, would perhaps end the war.

Every measure will be taken to have the transports and supplies in perfect readiness, so as not to delay the troops a moment after their arrival.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

Major General commanding.

The Hon. J. R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, October 15, 1837.

SIR : Many of the vessels propelled by sails, employed in transporting stores for the army, have grounded on the bar at the mouth of the St.

John's ; and, in two instances, the property of the public has been seized by persons who are reported to be pilots, and who profess to be wreckers. In the first case, Captain D'Lagnel, the ordnance officer at this post, proceeded at once to the spot and took charge of the property. The other case occurred yesterday, and I have directed Major Whiting to take the property, no matter in whose hands he may find it ; and if the wreckers have really any just claim, let them apply to the Government for redress. Should suits be instituted against the officers who perform the duty of securing the public property, I respectfully request that the district attorney be instructed by the proper Department to defend them.

I have neither books nor legal advisers to refer to here ; and, to enable me to protect the public interests, I desire the opinion of the Attorney General as to the right of persons calling themselves wreckers to seize and hold the public property, and expose it to public sale. If they possess that right, the best-concerted plans may be deranged by the exercise of it.

The anomaly, I understood, exists at the entrance of this river, of the same persons acting as pilots and wreckers. There is, therefore, every inducement to run the vessels which they undertake to bring into the river on shore, in order to obtain salvage.

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, October 15, 1837.

SIR : In carrying out your instructions to the commissioners in regard to the issue of rations to the suffering inhabitants, I ascertained that there were several classes of sufferers not provided for, and which I had not enumerated in any of my letters on the subject ; such as aged and infirm persons who were supported by their relations before the war, but who, in consequence of the losses sustained by these relations, are rendered entirely destitute. 2d. Indigent widows, with large families, who formerly lived on small farms, and relied principally on their cattle and other stock for the support of their families. 3d. Indigent persons who, though their domicils were within the limits of the towns, depended upon the cultivation of small farms in the country, and fishing, for the support of their families, and who, by the events of the war, have been prevented from cultivating their farms, or from resorting to their usual fishing grounds. In all these cases, I have directed that the rations be continued until I can receive instructions, or until the commissioners who are to superintend that branch of service shall have entered upon their duties. The officers charged with the issue of subsistence to the inhabitants are vigilant, but, occupied as they are, many persons who ought to be excluded, no doubt, receive rations ; and there are, perhaps, cases where persons who come within the laws, and the most rigid rules established under them, are excluded. There is, I believe, from the

attention I have been occasionally enabled to bestow on the subject, no great abuse of the bounty of the public; but I have no time to devote to the details of the business, and am every day more convinced that it is only by separating it entirely from the business of the army, that strict justice can be done to the public and to the individuals dependent upon its bounty.

The whole country is quiet, and, with the exception of the stealing of a few cattle, no depredations are attempted by the Indians: their principal force is south of Lake Monroe.

I hear nothing of the movement of volunteers from any quarter; only twenty recruits have arrived, but I hope those ordered from Fort Monroe will be in time to enable me to occupy the advanced posts on the St. John's during the present month.

To make Indian river available in the approaching campaign, I propose to connect it with the Atlantic immediately south of Cape Carnaveral, by which about seventy or eighty miles will be saved in every voyage; the labor and expense will be trifling, compared with the facilities which will thus be secured in the prosecution of the war.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, Florida, October 17, 1837.

SIR: I have received your letter dated the 4th instant. Should the Cherokee chiefs arrive, I will endeavor to carry out your views fully; but I take it for granted these proceedings are not to interrupt the military operations. In matters of council, Indians move slowly; and I should regret to lose the month of November, decidedly the best month in the year for operations in this country.

The councils of the Cherokee chiefs may have a favorable influence on the Seminoles; but I doubt it. At the request, or rather by the direction, of the late President of the United States, I sent, with Colonel Lane, from the Creek country, three talented and influential chiefs, all of whom had relations among the Seminoles, and one of whom had resided several years among them; Yahola Hajo, nephew of Jumper, John Hopahnee, nephew of the late Charley Emathla, and Echo Hajo, a relation of Powell, and Holati Micco, for the purpose of conferring with the Seminoles, and, if possible, treating with them; and they could effect nothing. Yahola Hajo declared to me, the day he set out from Tampa for the West, that no reliance should be placed upon the promises of any of the Seminole chiefs; that, unable to control their sub-chiefs and warriors, they promised only to deceive. He informed me that the Seminoles acknowledged no authority in their chiefs to make any treaty without the consent of all the heads of families of the nation. That even when a large portion of the heads of families should assent to a measure, those who dissented did not consider themselves bound to submit to, or

adopt it. He added, they would not tell the truth, and if I believed them they would deceive me. He said his uncle (Jumper) was desirous of emigrating, as were all the chiefs who were aware of our power; but the majority of the nation being opposed to it, their lives were in danger whenever they advocated the measure; that more than half the nation preferred war, on any terms, to emigration. If anything could induce them to emigrate, without the application of force, it would be to send some of their young men of rank and standing, as warriors, to Washington. Having an opportunity to witness the numbers and power of the nation, they might probably return, satisfied that their best policy would be to remove.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.



HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, October 22, 1837.

SIR: I have the honor to acknowledge the receipt of your two letters of the 7th instant, and I have the satisfaction to inform you that Assun Yahola (Powell) is my prisoner, with nearly all the war spirits of the nation.

That chief came into the vicinity of Fort Peyton on the 20th, and sent a messenger to General Hernandez, desiring to see and converse with him. The sickly season being over, and there being no further necessity to temporize, I sent a party of mounted men, and seized the entire body, and now have them securely lodged in the fort.

I have Emathla, (Philip,) Coe Hajo, Miccopotokee, and Euchee Billy, all principal chiefs, Caocoochee, (Wildcat,) Assun Yahola, (Powell,) Chietto Yahola, Tustenukkee, and several other important personages, sub-chiefs, with more than eighty first-rate warriors; and I have guides who can lead the army into every fastness in the country.

I have the honor to be, sir, very respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
St. Augustine, October 29, 1837.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant.

General Eustis has arrived, and the recruits are coming in. I hope to have everything in readiness to commence the campaign this day week. Forage and all other supplies are abundant; but I apprehend the

troops will suffer for want of tents; those ordered have not arrived, and it is feared they have been lost: this, however, shall not delay me a moment; if tents should not arrive, I will take the field without one myself, and others must do the same.

As to the expedition planned by Lieutenant Powell, I should like it better if it did not abstract so much from my force; if he were ready to move with me, and could carry out that part of my plan embracing St. Lucie and Indian rivers, his co-operation would be most effective; but I shall move at least fifteen days before he can be in readiness, and with a hundred men less than I would otherwise have. Mr. Powell is a most valuable and enterprising officer, and will perform the duties confided to him with ability and zeal, and I shall afford him every facility in my power; but I would respectfully suggest that he be placed subject to my orders. For effective military operations his force will be too small; for mere reconnoissance or exploration it will be too large, unless he propose to divide it into several parties. It is a matter of much importance that the communication be cut off immediately between the Indians about Florida Point, and those on the head of the St. John's. I had intended to establish a post on the St. Lucie for that purpose; if Lieutenant Powell could ascend that river, he would be able to close that communication, and perhaps prevent supplies of ammunition from reaching the Indians on the St. John's.

The principal chief of the Indians here, Coe Hajo, stated to me, in convention, on the 27th instant, that Micanopy, the principal Seminole chief, was anxious to surrender, and would do so whenever the troops should arrive in his neighborhood. I have never, for a moment, doubted his sincerity; how many of his people would follow him is uncertain.

I have the honor to be, sir, most respectfully, your obedient servant,
THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Garey's Ferry, Florida, November 4, 1837.

SIR: Since my letter of this morning, I have had an opportunity of perusing the communication of John Ross, principal chief of the Cherokees, to the chief, headmen, and warriors, of the Seminole nation. Not a word is said in that paper about emigration; but the idea is held out that a treaty is to be made, and compensation allowed for injuries sustained by the Seminoles from white men. The Cherokee chief could not have been aware of the decided policy of the Government in regard to the Indians, or he has misapprehended the nature of the question at issue. This war, as I understand it, is carried on as it was begun, to enforce the fulfilment of the stipulations of our existing treaty, not to make a new treaty; if peace were all that were required, that could be accomplished in a week, and without any mediation; but we require more than peace; we require emigration. If the Government adhere to the policy of emigration, the talk of the Cherokee chief ought not to be communicated to the Seminoles, because, to say the least of it, expectation

will be created which cannot be realized ; if that policy is to be abandoned, a peace as permanent as that with Great Britain can be made with the Seminoles without placing the administration under any obligations to the Cherokees ; a matter of some importance in our existing relations with that nation of Indians, and particularly with the Ross party. Jumper, one of the most sensible men I have ever met, of any color, declared to me that the Seminoles would gladly accept peace on the condition of withdrawing to the same palmetto lands south of the Caloosahatchee, and abandoning the remainder of the country ; and there has not been a moment since my first interview with that chief in February last, that I could not have made peace on those terms.

Considering the talk of the Cherokee chief, as in direct conflict with all my instructions from the Government, I deem it to be my duty to prevent its communication to the Seminoles, until I can receive your further instructions.

And I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Garey's Ferry, November 4, 1837.

SIR : A member of the Cherokee delegation, a Mr. Fields, arrived yesterday. I am much embarrassed by his presence. The Seminoles talk only to deceive, and any attempt to negotiate will cause delay. Arguments composed of words have been exhausted, only those composed of powder and lead will be effective. I was compelled to temporize during the sickly season, to save the frontier ; but that season is past, and the greatest vigor and activity should characterize our measures now. Besides, from what I learn from Colonel Twiggs and other officers who have been in the Cherokee country recently, I feel well assured we shall have the Cherokees to fight before May next ; and the interview sought with the Seminoles by the delegation may be to strengthen themselves, not to serve us. If I should permit any intercourse, it will not be until the troops shall have taken their positions in the interior, so as to enable me to strike the moment the negotiation fails.

I have sent forward two companies to reoccupy Volusia, and have ordered General Eustis to-day to send five companies forward to reoccupy Fort Mellon, and prepare storehouses for the supplies for the campaign.

By a despatch received this morning from Tampa Bay, I learn that Holati Micco, principal chief of the Pease creek Tallassees, has been captured, with a sub-chief and a warrior. This is a chief of great influence, and one of the most hostile and most opposed to emigration of any in the nation ; he assisted in carrying off my hostages in time. He is chief of the band of which Powell is a sub-chief.

The prospect is now flattering for a speedy termination of the war, and I entertain most sanguine hopes that it may be terminated during the present year. At all events, no efforts shall be spared to accomplish that ob-

ject. The service suffers for want of officers; most of those who have joined are young 2d lieutenants.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Picolata, November 10, 1837.

SIR: On the 4th instant I had the honor to report the arrival of one of the members of the Cherokee delegation. He accompanied me to St. Augustine, and on the 7th instant, after I had called his attention to the fact of his chief having omitted in his talk to the Seminoles to urge the necessity of emigration, and had informed him that that talk would not be allowed to go to the Seminoles without further instructions from the War Department, I afforded him an interview with the Seminole chiefs confined at the fort. He informed them that the object of the delegation was to counsel them to submit, and throw themselves on the magnanimity of the American Government and people. He observed that the Cherokees and Seminoles were the only aboriginal people remaining east of the Mississippi; that the Cherokees expected to go to the West, and desired the Seminoles to accompany them. He alluded to the talk from his chief, but repeated no part of it.

The principal chief, Coe Hajo, replied that he desired peace; that he was ready to emigrate, and that Micanopy and many of the Seminoles were willing to go. But he added, that until he came in to me, his life was constantly in danger; that the Mickasukies, but for Powell, would have killed him on his return from Fort King.

Colonel Sherburne and the other members of the delegation arrived here last night, and departed for St Augustine to-day. I have directed the commanding officer of that post to afford them every facility for communicating with the Seminole chiefs. But I have required that in all their talks, emigration be insisted on as an indispensable condition of peace.

The Cherokee chief, in the 4th paragraph of his talk, assures the Seminoles that if they lay aside their warlike attitude and come in, a treaty of peace will be negotiated with them under the authority of the President of the United States. Again, he says: "As the terms upon which your treaty of peace shall be negotiated, I have nothing to say. That is a matter to be argued upon between you and the Government of the United States."

Now, in place of a treaty to be negotiated, my instructions require me to enforce compliance with the provisions of an existing treaty, and the terms of that treaty are already known to both parties, and are not yet to be agreed upon.

The chief adds the assurance that the Seminoles are to be liberally compensated for any losses or injuries which they may have sustained by the injustice of white men; and that, after peace and friendship shall

have been restored, they will be permitted to send a delegation to visit the President, in company with the agent and Cherokee delegation. Neither of those latter propositions is embraced in my instructions. Indeed, I cannot comprehend the communication of the Cherokee chief, unless the Government have abandoned emigration: for all the propositions it contains, and the assurance it gives, are incompatible with that policy.

My last campaign has driven the Indians entirely out of a tract of country embracing more than two degrees of latitude, and at least nine millions of acres of land. If emigration is to be abandoned, I can, without any mediation, place the whole body of the Indians so far south as to secure to the country nine additional millions of acres. But if my instructions are to be adhered to, and the settled policy of the country is to be carried out, the talk of the Cherokee chief is calculated to do no good, but a great deal of mischief, and should not, under any circumstances, be allowed to go to the Seminoles.

I find myself so much embarrassed by the position in which this document has placed me, that I have decided to send an officer to Washington, as the bearer of this despatch, who, from his long service here, his knowledge of the Indians and of the country, and his general intelligence, will be able to give full information on all matters connected with the subject of the war, and the views and condition of the Indians. Captain Vinton, of the artillery, is the officer to whom I allude, and whom I respectfully recommend to the notice of the Department.

I have the honor to be, with high consideration and respect, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Picolata, November 10, 1837.

SIR: An error in regard to the compensation to be allowed to the Shawanee and Delaware warriors has been reported to me, and I have also been furnished with a copy of an order for their discharge, unless they consent to receive the sum authorized by law. One hundred and seventy-seven of them had arrived at Tampa Bay before the order of their discharge had been received by the officer who conducted them thither; and I had ordered a portion of them to join me on the St. John's.

To discharge them now, or to pursue any course towards them which would dissatisfy them, might, and no doubt would, have a most injurious effect on our relations with the Seminoles. The moral effect produced upon the Seminoles by their arrival will be most advantageous; and if they were to be removed, particularly under circumstances which would be likely to give dissatisfaction to them, it might cost us another campaign. I enclose a copy of a letter addressed to Lieutenant Colonel Davenport, on the subject of the Indians; part of them will probably have marched to the interior before that letter be received at Tampa,

and to order them to return might cause the Seminoles, who are inclined to surrender, to hold out with the Mickasukies. Until I have your instructions on the subject, I consider it to be my duty to retain them.

In relation to the campaign, everything is ready; and I only wait the return of the steamers which took forward the advance to Fort Mellon, to move, at once, into the Indian country with the whole force on this side of the peninsula.

I shall take the principal Seminole chief, Coe Hajo, with me. He is desirous of sending for his family and the remainder of his people; these secured, he proposes to enter our service, and conduct the troops to all the hiding-places of the enemy.

I have the honor to be, &c. &c.

THOS. S. JESUP,
Major General commanding.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

St. Augustine, November 7, 1837.

COLONEL: I have received your letter of the 31st ultimo, with the reports from the various branches of the service. The captures in this quarter must not only have weakened the enemy greatly, for we have sixteen chiefs and sub-chiefs and ninety-eight first-rate warriors, but the loss of so many of their leaders must distract their councils. The principal chief here assures me that a large portion of the Seminoles would come in, were they not overawed by the Mickasukies.

I have also received your letter of the 1st instant. I regret the circumstance to which you refer. The importance of fulfilling all our engagements with the Indians, with most scrupulous good faith, is unquestionable. To dismiss them now might not only cost us an additional campaign here, but cause difficulties on our western border. We must, therefore, return them at all hazards. I wish you to assure them that our laws do not authorize the payment of the sum stipulated, but that the enemy has a large property, consisting of ponies, cattle, and negroes, and that I will pay them for all the cattle they take, and they will also be paid fifty dollars for every negro they take, and they will be allowed to keep the ponies, or to sell them, as they may think proper. Represent to them, also, that our country is just, and that, if they serve well, I will take their chiefs to Washington, and represent their case to our great Council, (Congress,) and I have no doubt of obtaining for them all that has been promised.

I am, colonel, most respectfully, your most obedient servant,

THOS. S. JESUP,
Major General commanding.

Lieut. Col. WM. DAVENPORT,
1st Infantry, Tampa Bay, Florida.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, November 21, 1837.

SIR: I have had the honor of receiving to-day your letter of the 16th of October, by Lieutenant McLean, of the marine corps. Unable to place him in command of troops, consistently with the claims of the officers of the army who are now serving with their companies, I have attached him to the staff, as assistant commissary and assistant quartermaster. In either of these capacities he will be able to render useful service.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, November 21, 1837.

SIR: I have had the honor to receive to-day your letters of the 27th, 30th, and 31st of the last month, and of the 10th of the present month.

The authority contained in those of the 30th ultimo and the 10th instant is all I wanted. I could not comprehend either the talk of Ross, or his instructions to the delegation, unless the Government had changed its policy; and as not a word has been said to that effect in any of your communications, I could not believe that any change had taken place. The delegation informed me that you had read and approved the talk; but I was apprehensive there was something which they had not communicated. Had I received your letter of the 20th ultimo before Captain Vinton's departure, I would not have sent him to Washington.

I shall furnish Lieutenant Powell with the force which he may require. He will co-operate with me without abandoning the original objects of his expedition; and I shall probably find it necessary to increase the force to be sent in the direction of the Everglades, to prevent the retreat of the Indians thither.

I have a sufficient force for every purpose, either in the field or coming on. Supplies are abundant for all immediate purposes; and all required for future operations can be obtained as they may be wanted.

The Indians are already driven from more than fifteen millions of acres of land, worth twenty-millions of dollars; and in less than a month we shall drive them off from five to ten millions of acres more. The St. John's is navigable for steamboats fifty miles above Fort Mellon; and the country, I understand, is more valuable the farther we go south.

Colonel Mills has joined, from Fort King, with three hundred volunteers, and Colonel Twiggs, with four hundred dragoons, has just returned from a reconnoissance of the country between the St. John's and the Ocklawaha, north of the road from Volusia to Fort Armstrong. I shall proceed on the 23d or 24th, at the head of this force, south of the road, and sweep the whole country between the St. John's and the Ocklawaha to Fort Mellon.

General Eustis is at Fort Mellon, and Lieutenant Colonel Bankhead has been sent forward to establish a post forty or fifty miles above.

Congress, I perceive, are alarmed at the expenses of the war; they have gotten the country into it, and they will find that they must make three or four such appropriations, at the least, before they get clear of it. They broke the army down in 1821, and are responsible for all the Indian difficulties which have since taken place. Had they left it as it was in 1818, it would have been competent, with the two regiments of dragoons since added, for every purpose of defence, as well as for the suppression of every hostile movement on the part of the Indians.

I hope that the huckstering views of certain prominent members will not be allowed to influence the policy of the country, or prevent the appropriations necessary to carry it out.

As to the removal of the Seminoles, I believe now it can be effected, so far as the main body are concerned, though I have no doubt the present generation will have passed away before the whole be driven from the country. But the Cherokees will give trouble, if prompt measures be not adopted in regard to them before the 1st of May. A war with them, however, cannot last a month, if proper dispositions be made in time. All the difficulties of our Indian wars have resulted from delaying preparations too long.

I will write at least every week.

And I am, sir, with high consideration and respect, your obedient servant,

THOS. S. JESUP.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Volusia, November 22, 1837.

SIR: By Lieutenant McLean, who arrived yesterday, I was informed that a force of twelve or thirteen hundred Georgia volunteers were on their march to Florida. I had requested the Governor to send Colonel Nelson with a battalion, or even a regiment, if he could raise the force; but in reply he informed me that you had countermanded the requisition on that State; and I had learned from Major Churchill, as well as four other sources, that the colonel was employed on the Cherokee frontier, and would not be in Florida. I had, therefore, not calculated upon him.

On the 5th instant I received information that the colonel was on his march with a regiment: that force I believed I could employ usefully, if it should arrive, and determined to accept it; but I shall be rather embarrassed by the force now arriving. To refuse to accept it, however, might produce difficulty with the volunteers, which would probably be injurious to the service in any future occasion where such a force might be required. As it is near at hand, I believe the better course will be to accept it, and give it active employment at once. I shall, therefore, take it into service; and it will enable me to cover every foot of the country

where an enemy could find refuge. The greatest difficulty will be to supply this force ; but the quartermaster's and commissary's departments will only have to redouble their energies.

No force will of course be required from the northern cities.

I have the honor to be, sir, most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mellon, November 28, 1857.

SIR: As I have already reported to the adjutant general, I arrived at this post on the 26th instant, and found the Cherokee delegation here. The messengers whom I had permitted the captive chiefs to send out with messages to their people and to Micanopy had returned. They brought a message from Micanopy to me, stating that he was ready to fulfil the treaty of Fort Dade, and that he would collect the chiefs in council to-morrow, and he had no doubt of inducing them and the greater number of their people to surrender. He desired that the Cherokee chiefs might be permitted to attend the council. I conversed with those chiefs in relation to their instructions, and to the talk of their principal chief. I pointed out to them the omission on the part of Mr. Ross, in both the talk to the Seminoles and the instructions to them, to refer to emigration as an indispensable condition of peace. They replied that, acting as mediators, they could do no act that might be construed into dictation ; that they could only act as advisers ; but that they considered themselves authorized by their instructions to advise the Seminoles to fulfil all their treaties with scrupulous fidelity ; and it was their instruction to do so, if permitted to confer with the Seminoles. Believing that no injury could attend their conference with the Seminoles, posted as the troops now are, I consented, after consulting General Eustis, who concurred with me in opinion, to allow them to proceed to Micanopy's camp, about forty miles south of this post. They departed this morning, accompanied by Coe Hajo, and are to return in six days.

The messengers report that Micanopy was on his way to Tampa Bay to surrender, and that Alligator had gone in to that place for the same purpose.

If the council have no other effect, it will cause the Indians, who are now much dispersed, to reassemble, when they can be more readily attacked.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, November 29, 1837.

SIR: In my letter of the 21st, I stated, on the information then in my possession, that the St. John's might be navigated by steamboats fifty miles above this post; but more accurate information convinces me that, except at extraordinary stages of the water, we cannot calculate with certainty on steamboat navigation more than thirty-five miles above, unless boats of less draught can be obtained. Barges, however, can be used as far as exploring parties have advanced, which has been twenty or twenty-five miles above Lake Harney.

General Hernandez will turn Indian river with his mounted men, and pass the foot and supplies across. I shall not allow his operations, nor those of Colonel Taylor or General Smith, to be checked for a moment by the Seminole councils; and the delay of this column will be more than counterbalanced by the increased efficiency of its means.

Should the council result favorably, a large portion of the Indians may be assembled at St. Augustine by the 1st of January; should it result unfavorably, the winter, I hope, will suffice to close the war, as the force is more than ample; and, from the energy of the quartermaster's and commissary's departments, I have no fear of supplies being furnished whenever required.

With high consideration and respect, I have the honor to be, sir, your most obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, November 30, 1837.

SIR: I have the honor to report that thirteen Indians, and thirty-six negroes, (among the former are Powell's family,) have this moment come into camp and surrendered, which, with five who came in a few days ago, make fifty-four, who have come in since the troops have been at this post.

I am, sir, respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Steamboat on Lake George, December 6, 1837.

SIR: On the evening of the 3d instant, Micanopy, Cloud, Tukegee, and Nocose Yahola, came into camp and surrendered themselves. They were accompanied by the Cherokee delegation, and by the chief

Coe Hajo, whom I had sent out to assure the Seminole Indians that all who would surrender should receive kind treatment. The Cherokee delegation have acted in accordance with the views of the Government; in explaining to the Seminole chiefs the talk of Mr. Ross, they have urged the importance and necessity of fulfilling all their treaty stipulations. They manifest every disposition to co-operate with me, and thus far I approve entirely of their course. On the 5th instant, I met the Seminole chiefs in council. The principal officers of the army and the Cherokee delegation attended.

I opened the council by remarking on the bad faith with which the Seminoles had acted, and desired to know from them what were their views and expectations in coming to camp. Micanopy replied, that he desired peace, and would fulfil the treaty which he had made with us; but that his people were dispersed, and that several of the principal chiefs were absent, and could not join him for many days; but he and the other chiefs observed, that give them time and all would "go right."

I replied that our object was to save, not to destroy them; that it was the desire of the Government and people of the United States to treat them with the utmost liberality; but we had been so often deceived by their promises that I hardly knew how to rely on their professions; that it was my intention not to be deceived by them again; and I required the immediate surrender of the families of the chiefs and warriors confined at St. Augustine. Micanopy promised to surrender them. I then required that Sam Jones should surrender with his people, and that all the Seminoles and Mickasukies within four days' march of us should come in immediately and surrender their arms. This was assented to; seven days were allowed for the families of the prisoners at St. Augustine and for Jones's people to surrender, and ten for those of Micanopy and Cloud. Messengers were immediately despatched to carry the orders of the chiefs into effect. Though I believe the chiefs to be sincere, I have but little reliance on their promises; I doubt their influence over their people. I shall, however, hold them as hostages, and compel them to act as guides if their people should not come in; ten days will settle the matter.

Having a few days disposable, I determined to go to Garey's Ferry to make arrangements in relation to the volunteer force lately arrived, and I am now on my way down for that purpose.

I have the honor to be, most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

P. S. I propose to discharge the Florida volunteers immediately.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, December 13, 1837.

SIR: From information received, from Indians who have come in, of the proximity of St. Lucie river to the hunting grounds of the Seminoles, I desired to have an examination of that river. Lieutenant

Powell offered to perform that service, and I have directed Captain Brown, of the army, to accompany him. A steamboat capable of going to sea being required to accompany the expedition to that river, I have been compelled to take the Poinsett off her ordinary route, and place her temporarily under the direction of Lieutenant Powell and Captain Brown. The quartermaster will make such arrangements as to prevent the delay of despatches to and from the army.

Should the Indians not come in and surrender, we shall be compelled to pursue a large portion of them to the south; and in that event a post must be established on St. Lucie, and another on New river or at Florida Point.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, December 14, 1837.

SIR: The Cherokee delegation returned this morning, and reported that their mission had entirely failed. I have lost by their mediation two weeks' valuable time, but I do not regret it, as the whole American people must now be sensible that no reliance can be placed on the promises of the Indians, and that it is useless to enter into any treaty stipulations with them.

I shall press forward with the utmost energy possible, and endeavor to bring the Indians to battle if they be concentrated; but I apprehend they are entirely dispersed. Living as they do, for the most part, on roots, they cannot remain concentrated over three or four days at a time.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, December 15, 1837.

SIR: The Cherokee delegation will leave in the first steamer that goes down to Garey's Ferry, on their return to their homes. It is due to justice that I should express to you the high sense which I entertain of their character and conduct. Their mission was terminated, as I believed it would from the beginning, unsuccessfully; but they have acted with the most untiring zeal and earnestness in endeavoring to convince the misguided chiefs of the Seminoles and Mickasukies, as well as their people, of the advantages of peace, and the necessity of fulfilling their treaty engagements.

Having entertained some doubts as to the true objects of the mission, which I expressed to you before I became acquainted with the members

of the delegation, I consider it due to them, as well as to myself, to assure you of my belief that they have acted throughout in perfect good faith, and with a sincere desire to serve you and our country, and to benefit the Indians by enlightening them in regard to their true interests.

Immediately on the failure of the mediation becoming certain, I sent to St. Augustine seventy-two Indians who were at and near the camp; among them are Micanopy, the principal chief of the nation; Cloud, the war chief who commanded at the Wahoo; and Nocose Yahola, the Creek chief of highest rank who came down from Alabama in 1836.

We have now no prospect of terminating the war except by battle; but it is extremely doubtful whether the Indians will fight; their policy is to fly, knowing, as they do, that on the approach of summer the climate will fight their battles for them, and drive us from the country.

I have the honor to be, sir, respectfully, your obedient servant,

THOS. S. JESUP.

Hon. J. R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Mellon, December 18, 1837.

SIR: I received on the 9th instant your letter of the 25th ultimo.

Having issued the order placing Dr. Russell on duty in the field, on the assignment of the medical director of this army, I called on that officer for a report in the case, immediately on the receipt of the letter referred to. I have received his report to day, and I herewith enclose a copy of it; I hope you will find in it sufficient reasons for the measure.

There can be no doubt of Dr. Russell's merit as a medical man; but there is not another medical officer in Florida who has been as long in the Territory as he has, whose claims are not superior to his; he has not, that I am aware, been in the field at any previous time since the war commenced.

I have considered all the officers in Florida disposable for service wherever the interests of the public might render it proper to place them; and while I shall ever be ready to carry out the views of my official superiors, when communicated to me, I cannot permit what Dr. Russell, in his letter, a copy of which you enclosed to me, calls "*a semi-official understanding*" with any department to control measures which I deem essential to the good of the service.

As Dr. Turner is efficient in the hospital, and is considered unable to take the field, and as Dr. Russell, to high professional character and attainments, unites the physical ability required in active operations, I shall retain him with the command of General Eustis until the present expedition terminate.

As regards Dr. Peck, he was employed by contract, and in strict accordance with the regulations; it will be impossible to discharge him immediately, unless other army surgeons be sent into the country.

I do not suppose that Dr. Russell intended to make the impression that Dr. Peck was employed in consequence of my ordering him to the field;

the truth is the very reverse. The authority would have been given to the commanding officer to employ a citizen, if he or Dr. Weightman had been retained at St. Augustine; Dr. Russell himself considered two medical gentlemen necessary, and desired Dr. Turner as his assistant. I could spare but one from the field, and ordered Dr. Russell to that service, because he was physically capable of performing the duties required of him there.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

Hon. J. R. POINSETT,
Secretary of War, Washington city.

FORT MELLON, December 18, 1837.

SIR: Agreeably to your instructions, I will state the grounds on which the assignment of Assistant Surgeon Russell to duty in the field was made, and I will premise my statement with the remark that it now enters my imagination that an officer of any department could be placed within the limits of your command in such a situation as would prevent you from having the complete control of his services. At the time Dr. Russell was ordered to join General Eustis's command, the major part of that command was at Black creek, without any medical officer to accompany it. Assistant Surgeon Jarvis was with the command at Volusia; Assistant Surgeon Laub was relieved by a citizen physician, to accompany that portion of General Eustis's brigade which moved to Fort Mellon; Assistant Surgeon King, as soon as he arrived at Black creek, was ordered to relieve Assistant Surgeon Moffit, who was directed to report to Colonel Gates, and join his command at St. Augustine; Assistant Surgeons Russell and Turner were doing duty. It became necessary either to employ a citizen physician to accompany the brigade into the field, or detail one of the two latter-named gentlemen. I knew of no citizen practitioner whose services could be obtained, and who would have been competent to the duties of the station. Dr. Russell had himself informed me that Dr. Turner's health was so variable as to render him unfit for the duties of the field. At the same time he expressed a strong desire to have him stationed at St. Augustine, and spoke in the highest terms of his efficiency in hospital practice. Dr. Russell was then the only available officer of the department, and was possessed of all the physical and professional qualities requisite for the situation. I took the opportunity of a private conversation with Dr. Russell to lay the above circumstances before him, and appealed to him to admit the necessity that existed for the detail. He did not deny it, but stipulated for his return to St. Augustine as soon as his services could be dispensed with in the field.

I cannot think that Dr. Russell has any cause for complaint. It appears, by the Army Register, that he has been more than nineteen years in service; and, if I mistake not, this is the first tour of armed service in the field that he has performed. With regard to the employment of a private physician to assist Assistant Surgeon Turner, there can be no doubt of

the propriety or necessity of the act. On the 21st of September, when I arrived at St. Augustine, the number of sick was 23 in hospital and 6 in quarters. Assistant Surgeons Russell, Jarvis, and Turner, were all on duty there at that time, and, I supposed, were considered necessary there by the director of the general hospital, as Assistant Surgeon Mote, the only medical officer at Fort Peyton, had been taken into the field with General Hernandez's command, leaving that post without medical attendance, further than an occasional visit by Dr. Turner. At the time Dr. Jarvis was ordered from St. Augustine, leaving no assistant to Dr. Russell, there were 31 sick in hospital and 5 in quarters, with some sick Indians. The duties were then considered onerous by Dr. Russell, and the arrival of Dr. Turner, who had been ordered to St. Augustine, expected with some impatience. It was on the 23d of October that Dr. Jarvis was ordered from St. Augustine, and on the 4th of November Dr. Russell was ordered into the field, being relieved by Assistant Surgeon Turner, who was at that time assisting him in the duties of the station; and as the number of medical officers at that post was thus reduced from two to one, and the number of sick increasing, the commanding officer was authorized to employ an assistant for Dr. Turner, when it was found necessary. The number of sick, on the day Dr. Peck was employed, was 55 in hospital and 11 in quarters, which is the lowest number since his employment. The average number of sick for November is, in hospital about 65, in quarters about 30, daily. Speaking of the sick Indians, Dr. Turner says, in the letter accompanying his last report, "at present the number of sick may be safely estimated at 75."

Dr. Peck is a gentleman of high standing in his profession, and, as he furnishes his own fuel and quarters, the terms cannot be considered immoderate; they are considerably within the pay and emolument of an assistant surgeon of two years' standing.

With the highest respect, your obedient servant,

C. A. FINLEY,
Surgeon and Medical Director.

To Maj. Gen. T. S. JESUP,
Commanding army of the South.

Official :

A. B. LEONARD,
Lieutenant and A. D. C.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Mellon, December 19, 1837.

SIR: I received yesterday your letters of the 1st and 2d of this month, and I immediately wrote to Brigadier General Nelson, directing him to reduce his mounted force to eight hundred men. I shall reduce the Alabama force to six hundred, and I have taken measures to discharge the whole Florida force except two companies, which I wish to retain as spies. As the horses break down, the men retained will be discharged.

The advance of General Eustis's brigade moved on the 15th; the General moved on the 17th; and the dragoons this morning, except a single

company, with which I shall proceed in the morning. So difficult is the route, that the General will not encamp more than fourteen or fifteen miles from this post to-night. I expect to overtake him to-morrow or early next morning.

I remained to-day to ascertain whether a steamboat can be passed over the bar of Lake Monroe. I doubt the practicability of getting it over; but, until it be demonstrated to be impossible, I am not willing to abandon a measure so important to the service.

We now know positively that the Seminole chiefs can exercise no influence over any portion of their people, on the subject of emigration. These people are like no other Indians; they do not live in large bands, but are dispersed in families over the whole Territory south of Lake Harney. There are seldom more than from ten to twenty women and children in a body; it is therefore impossible to capture any large portion of their women and children.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, FORT LANE,
Head of Lake Harney, December 20, 1837.

SIR: The difficulties of the country are such that General Eustis is less than thirty miles in advance of Fort Mellon. I left that post yesterday after 10 o'clock A. M., and this morning came up with him. Leaving his command south of the Ecowlak Hatchee, I came to this post for the purpose of reconnoitering the country, and determining the site of a bridge over that creek, and a route for a road to a depot which I propose to establish in advance.

My aid-de-camp, Lieutenant Linnard, succeeded yesterday in getting a steamboat over the bar, at the head of Lake Monroe; but I apprehend some accident has occurred, as she has not arrived. Lieutenant Searle, of my staff, is now in advance, for the purpose of ascertaining whether supplies can be gotten to shore above this post from the transport boats. The guides report that the river cannot be approached above, in consequence of the extensive impassable swamps on both sides of it.

The enemy, who were concentrated within from twenty to forty miles of this place a month ago, have dispersed and moved south. They cannot be approached from this quarter in less than a month, unless the river can be made available for the transportation of supplies. With the utmost that can be done, General Eustis will not be able to average more than twelve miles a day with his train. I propose, after establishing a depot in advance, to employ the train, under proper escorts, in pushing supplies forward, and operating in advance of the depot without wagons.

I perceive, in the papers, a great deal of censure cast upon the Department, for employing Indians in the service of the United States. As I

permit no one to be lashed over my shoulders, it is proper that I set that matter right. I am responsible for bringing Indian warriors into the service. I raised and employed a brigade of them in Alabama, and a regiment in the last campaign in Florida ; and I not only recommended, but urged, as a reference to my correspondence will show, the employment of northern Indians in this campaign ; and, to save American blood, I would employ the dogs of Cuba, if I could obtain them, regardless alike of the cant of hypocrites or the bluster of demagogues. There are men, I perceive, and those occupying high stations, too, who seem to consider Indian atrocities, when exercised upon the people of the frontier, as so much matters of course as not to excite the slightest emotion. Their constant theme is the wrongs of the poor Indians, without a thought for the slaughtered wives and children, and conflagrated dwellings, of their own countrymen. I envy not that man his feelings, whose sympathies are all reserved for the ruthless savage.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

Major General commanding.

Hon. J. R. POINSETT,

Secretary of War, Washington city.

P. S. 21st, the steamboat has just entered the lake.

HEADQUARTERS ARMY OF THE SOUTH,

Fort Lane, head of Lake Harney, December 22, 1837.

SIR : In the orders establishing double-ration posts in Florida, Jacksonville was omitted. The expenses of living in Florida exceed those of any other portion of our country in which I have served ; and I urgently recommend that double rations be allowed to the commanders of all posts established, and that the allowance be made to the officers who have heretofore commanded at Jacksonville.

The dragoons are employed to-day in packing forage forward. The Tennesseans, and the few Floridians still in service, are opening a road from this post to General Eustis's camp, south ; and the artillery, under the immediate command of the General, are erecting a bridge over Ecowlaik Hatchee.

Lieutenant Searle went forward this morning with a Macinac boat, loaded with forage, to ascertain whether the navigation be practicable above.

I have the honor to be, sir, your obedient servant,

THOS S. JESUP,

Major General commanding.

The Hon. J. R. POINSETT,

Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,

Fort Christmas, December 30, 1837.

SIR : In a postscript to my letter of yesterday, I mentioned the report of the capture of thirty Indians and negroes, and that the enemy was

represented to be in force, about fifty miles in advance. Colonel Twiggs, who has closely examined the prisoners, is of opinion, that they have gone far beyond the point where they were expected to make a stand. He reports that it will take him two days to make a swamp in his front practicable.

I came to this post last night, and, but for the report from the Colonel, would have gone forward to-day.

I am, sir, most respectfully, your obedient servant,

THOS. S. JESUP,
Major General commanding.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

HEADQUARTERS, ARMY OF THE SOUTH,
Fort Christmas, Powell's Camp, January 2, 1838.

SIR: I have the honor to submit a copy of a report this moment received from Brigadier General Armistead.

We have now the evidence of Jumper as to the bad faith of the Cherokees. If John Ross be allowed to get into his own hands and that of his council the amount to be paid for the Cherokee lands, he will have the means, as he will perhaps have the inclination, to rally the Indian force west of the Mississippi, as well as the black force within the Southern States and the Territory of Florida, against the United States.

The assurance given by the Cherokee delegation that the Seminoles would be allowed to remain "on certain conditions" in Florida, leaves us no other means of ridding the country of them than the application of force. Whether they can be overtaken, finding, as they do, subsistence in every prairie, hammock, and pine barren, is extremely doubtful.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP.

The Hon. J. R. POINSETT,
Secretary of War, Washington city.

FORT BROOKE, *December 25, 1837.*

GENERAL: I have the honor to inform you that I received a communication from Colonel Taylor, dated fourteen miles down the Kissimmee, December 21. The Colonel says, I left Fort Gardiner yesterday at sunrise; in the evening I met Jumper at this place, with about fifteen warriors, including a brother of Holatoochee's, with their families and some negroes, amounting in all to sixty-three, accompanied by the party of friendly Indians sent out to accompany them; that he had directed Jumper to proceed with his people to Fort Gardiner; that Jumper had sent a runner to Alligator, advising him to meet Colonel Taylor and come in; that Jumper and his party would remain four days at Fort Gardiner, awaiting the arrival of more of their people, before going into Pease creek. Jumper expressed considerable doubt as to Alligator's coming

in, as well as a large portion of the Seminoles, who he thought would join the Mickasukies; this movement on their part he attributes to the escape, at St. Augustine, of the prisoners; in addition to the statement made by the Cherokee delegation, that they could remain in the country upon certain conditions; this is all the information I received from Colonel Taylor. I have also to inform you that Doctor Lawson arrived at this post on the 23d, with 270 of the Pennsylvania volunteers; they will leave to-day or to-morrow, under orders to join Colonel Smith. On the event of the Indians coming in at Pease creek, I should be glad to know if they are to be ordered to this post, and what disposition I am to make of them after their arrival here.

I am, General, very respectfully, your obedient servant,

W. K. ARMISTEAD,

Brig. Gen., com. 1st Division army of the South.

Lieut. J. A. CHAMBERS, *Aid-de-camp, Assistant*

Adjutant General Army of the South, Fort Mellon.

A true copy: W. G. FREEMAN,

Lieut. 4th Artillery.

HEADQUARTERS, ARMY OF THE SOUTH,

Six miles north of Fort McNeil, January 5, 1838.

SIR: It will be seen by my report to the adjutant general to-day, that Colonel Taylor brought the enemy to battle on Okeecholer, on the 25th ult., and that General Nelson met a portion of them in the Waccassassa on the 26th ult.

I had, previously to receiving their reports, ordered the discharge of all the Florida volunteers, except two small companies of a battalion of Alabama volunteers, and of about five hundred Georgia volunteers. The information from General Nelson and Colonel Taylor has induced me to countermand so much of the orders as relates to the discharge of the Georgia and Alabama volunteers, and one company of the Florida volunteers.

The war can be closed only by the most vigorous efforts, not only of the army, but of the Government. Whilst a warrior lives, we shall have him to fight.

The difficulties presented by the country are such, that the expenses of the war will be greatly increased as we proceed south.

I have the honor to be, sir, your obedient servant,

THOS. S. JESUP,

Major General commanding.

The Hon. J. R. POINSETT,

Secretary of War, Washington city.



